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ABSTRACT

Five booklets are designed to inform parents of exceptional students in Florida about their child's education. The first covers eight steps in planning and continuing a child's education from referral through staffing and IEP (individualized education program) development to re-evaluation and subsequent staffing. Booklet 2 focuses on the IEP, its contents, required information, and meeting procedure. Booklet 3 outlines parents' rights and responsibilities in such areas as due process, school records, and evaluations. A parents' dictionary, list of reading materials, and resource directory are included in booklet 4. The final booklet provides guidance on keeping records for such aspects as referral, IEP meetings, and due process hearings. Sample letters regarding educational decisions are provided. (CL)

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For Parents of Exceptional Students . . . An Information Series:

Educating Florida's Exceptional Students

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Booklet 1

EC 150 333

For Parents of Exceptional Students . . . An Information Series:

Educating Florida's Exceptional Students

Booklet 1

State of Florida
Department of Education
Ralph D. Turlington, Commissioner
Tallahassee, Florida
Division of Public Schools
Bureau of Education for Exceptional Students
1982

This series was developed by the Florida Department of Education in cooperation with the South Atlantic Regional Resource Center. Among those who have made significant contributions are:

Parents of
Exceptional Students

The Task Force for Parent
Information/Education

Staff Members of the
Bureau of Education
for Exceptional Students

Staff Members from Florida's
Local School Districts

The Florida Diagnostic and
Learning Resources System

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INTRODUCTION

". . . You may wonder what will happen to your child . . ."

This booklet has been written for parents of children who have special learning needs in Florida's school districts. The word "parents" includes anyone who has major responsibility for the care and well-being of a child. If you are a person who has such responsibility—parent, grandparent, surrogate parent, foster parent—and you think your child has special learning needs, you will want to read this booklet carefully.

You may wonder what will happen to your child. You may feel that you need help in understanding and working with your child and his school. You may have questions like:

- Will the school work with my child?
- Where can I find a good program for him?
- Is my child too young or too old for a special program?
- Is this going to cost me a lot of money?
- What can I do to help?

Most parents ask these questions. You may have many more. This booklet will answer some of your questions and list places to go for answers to others.

Before you read this booklet, there are several things you should know:

- You do not need to read the whole booklet at one time. Check the **"Table of Contents"** to find the parts you want or need to read.
- You can look at the back of this booklet to find out the meanings of the words underlined in color. Definitions also are given in the **"Parents' Dictionary"** in Booklet 4.

- In this booklet and the others in the series, the word "he" is used to talk about any exceptional student, boy or girl.
- The information given in this booklet is true for any exceptional child from age five through eighteen, whether or not he is already in school. Some of the information may be true for a child younger than five or older than eighteen. Talk with the Exceptional Student Education Director in your local School Board Office to find out about this.
- It is very helpful for you to keep some records of your own. In this booklet you will find "Parents' Record" pages which will give you ideas on information to keep in your records.

In addition to this booklet, there are other booklets in this series that may help you to better understand your child's rights to an education:

Booklet 2, THE INDIVIDUAL EDUCATIONAL PROGRAM—IEP, will answer questions such as:

- What is an IEP?
- How will an IEP help my child?
- When and how is an IEP written?
- What are the parts of an IEP?
- Who writes the IEP?
- How can I help to write the IEP?

Booklet 3, RIGHTS AND RESPONSIBILITIES, will answer questions such as:

- What is Due Process?
- What are my Due Process rights?
- How can I best use my rights to Due Process?
- What are my rights to participate, have notice, give consent, and have a Due Process Hearing?
- How can I work with the school to solve problems?

Booklet 4, RESOURCES AND REFERENCES, contains this useful information:

- **"The Parents' Dictionary"**—meanings for some of the words used by schools to describe your child and his education, and **all** the color-underlined words in this series of booklets.
- **"Reading Materials for Parents"**—a list of other written materials that may be of help to you.
- **"Excerpts from Laws and Rules"**—a copy of some of the more important parts of the laws and rules about Exceptional Student Education.
- **"Where To Go for Help"**—a list of some groups or agencies which may be of help in answering questions or giving you more information.

Booklet 5, PARENTS' EDUCATIONAL RECORDS (the last booklet in this series) contains copies of all the "Parents' Record" pages from Booklets 1, 2, and 3. You can use these pages to write down important information about your child and his education. You will also find "Sample Letters" which give ideas on how to ask the school to do certain things.

We hope that the information in this series of booklets will help you to help your child. As you read and use the booklets, you may find parts that are not clear. There are many people who can help. The people at your child's school or in your local School Board Office will be happy to work with you.

THE EXCEPTIONAL CHILD

". . . You will want to work closely with people at a school to make sure your child is getting the kind of education he needs . . ."

You may be reading this booklet because someone thinks your child has special learning needs. This person could be you, a doctor, a teacher, or a friend. Perhaps you already know that your child is exceptional.

There are many kinds of clues that can tell you that your son or daughter needs extra help and attention. One or more of the following things may be true of your child:

- Talks differently from other children
- Is too active or not active enough
- Learns slowly
- Breaks rules or doesn't listen to you
- Walks or moves in a clumsy way
- Learns differently from other children
- Acts bored or lazy
- Is extra bright or smart
- Has health problems
- Has problems with seeing or hearing

You may be worried or concerned about these or other signs of special learning needs. If so, you will want to work closely with people at a school to make sure your child is getting the kind of education he needs.

In Florida, boys and girls who have special learning needs are called ***exceptional students***. The special help they are given at school is called ***Exceptional Student Education***. This is often written as ESE. Sometimes it is called Special Education. There are many other words that may be used to describe an exceptional child. He may be said to have a ***Handicap***, a ***Disability***, or an ***Impairment***.

A child who is very, very bright or smart is called ***Gifted***.

In order to give your exceptional child a good education, you and the school will have to decide what kinds of needs he has. There are different exceptionalities, sometimes called categories. In Florida, these categories are:

- ***Speech and Language Impaired***
- ***Hearing Impaired***
  (Deaf and Hard of Hearing)
- ***Visually Impaired***
  (Blind and Partially Sighted)
- ***Deaf/Blind***
- ***Mentally Handicapped***
  (Educable, Trainable and Profound)
- ***Emotionally Handicapped***
  (Emotionally Handicapped and Severely Emotionally Disturbed)
- ***Physically Impaired***
- ***Homebound and Hospitalized***
- ***Autistic***
- ***Specific Learning Disabled***
- ***Gifted***

Because of their exceptionalities, some children will need programs called ***Physical Therapy*** and ***Occupational Therapy***. In some school districts, there are classes for the ***Profoundly Handicapped***. Children who are Severely Emotionally Disturbed, Autistic, Profoundly Mentally Handicapped or Deaf/Blind may need to be in one of these classes. You will find short definitions of each of these exceptionalities in the **"Parents' Dictionary"** in Booklet 4.

Some children may have only one kind of exceptionality. Others may have more than one kind. One child might have an exceptionality that is mild and requires only a little extra special help or attention. Another might need much more special education because his special learning needs are more difficult or severe. Some children will need special education for only a short time. Others will need extra help and attention all through school—or for the rest of their lives. The important thing is this: children with special learning needs can be helped.

LAWS ABOUT EXCEPTIONAL STUDENT EDUCATION

". . . parents should help to decide what is best for their child . . ."

There are laws and rules about education for exceptional students. They help to make sure that each child with special learning needs has special help at school. The laws also say that parents should help to decide what is best for their child.

The most important thing to remember is that every exceptional child has a right to a ***"Free, Appropriate Public Education."***

If your exceptional child lives in Florida, is from age five through eighteen, and has not graduated from high school, he has the right to a "Free Appropriate Public Education." This means that:

- Schools will give each exceptional child an educational program.
- The program will have teaching, physical education, special materials, and all other needed services.
- The program must be appropriate—set up to meet the needs of your child as agreed upon by you and the school.
- The program must be free of charge to you.

If your child is younger than five or older than eighteen, there may be a program or special help for him. Some local school districts have classes for younger or older children. There are also free or low-cost special programs outside the school system. The Exceptional Student Education Director in your local School Board Office will be able to tell you about these programs or services. You may also call any of the other places listed in the **"Directory"** in Booklet 4 to find out about programs for your child.

Since every child has his own needs, the programs offered by the school will be different for different children. The school will want your help in choosing the best program for your child. There is a list of some different kinds of special education programs and services on page 34 of this booklet.

There are other parts of the laws and rules which will be important to you.

Decisions about your child must be made after an individual *Evaluation.*

The program for your child must be described in writing. This written description is called an *Individual Educational Program*, or *IEP*.

Decisions about your child must be made with you, and in a way that is fair. This is called *Due Process.*

The rules for Exceptional Student Education are fully described in several places in this series of booklets. You will find parts of some of the laws and rules in Booklet 4. The names of the most important laws or sets of rules are:

- **Florida Statutes** and **State Board of Education Rules**— Pertaining to Education for Exceptional Students
- **District Procedures for Special Programs for Exceptional Students**— One set for each local school system
- **Public Law 94-142—Education for All Handicapped Children Act**, 1975
- **Public Law 83-112, Section 504—Vocational Rehabilitation Act**, 1973
- **Family Education Rights and Privacy Act**, 1971, also called the "Buckley Amendment"

"Reading Materials for Parents" in Booklet 4 will tell you where you can see or get copies of the laws or rules.

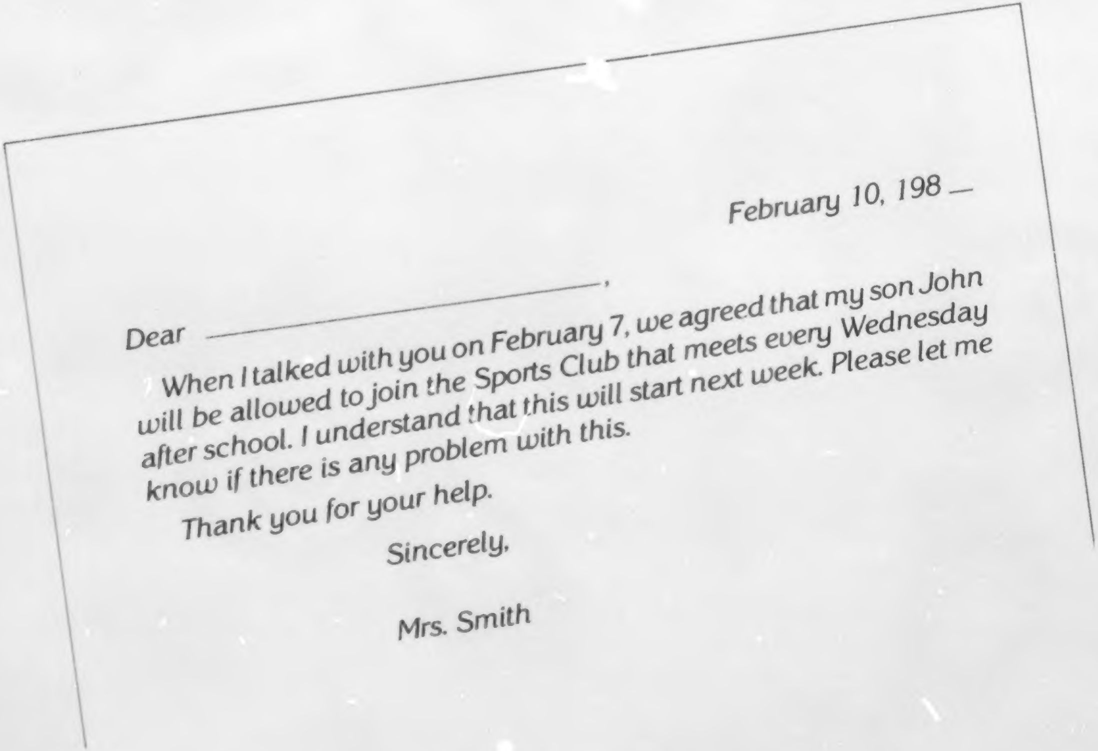
PARENTS' RECORDS

" . . . good records will be helpful to you and to your child's school . . ."

You can help yourself, your child, and the school by keeping your own records. This will make going to meetings and talking to school people much easier for you. It will also be helpful if you ever move to another county or state. You will want to keep:

- Test results
- Report cards
- Evaluation reports
- Records or reports from doctors or other people who have worked with your child from outside the school
- Individual Educational Program—IEP—written educational plans for your child
- Samples of your child's work
- Letters from the school to you
- Letters or notes from you to the school
- Notes and dates of telephone calls, meetings, conferences, and visits

Sometimes important decisions are made during a telephone conversation or when talking with someone at the school. It can be helpful to write a short note to the school, clearly stating what the decision or agreement was. This will give you a record of what happened. It will also let people at the school know what you expect of them. Letters or notes like this do not need to be long or typed. However, you should keep a copy. An example of this kind of note might be:



February 10, 198 —

Dear ____________________,

When I talked with you on February 7, we agreed that my son John will be allowed to join the Sports Club that meets every Wednesday after school. I understand that this will start next week. Please let me know if there is any problem with this.

Thank you for your help.

Sincerely,

Mrs. Smith

In this booklet, as well as in Booklets 2 and 3, you will find "Parents' Record" pages. They will give you ideas on information you should keep. Copies of the "Parents' Record" pages have been put together in Booklet 5. You may want to write all important information in that booklet. You may want to keep all your records in a notebook or a file.

Because there are so many steps in planning for an exceptional student's education, moving from one county or state to another may be a problem. If you move, you should do several things:

- Tell your child's old school where you are moving and ask them to contact the new school right away
- Make sure that all the school records on your child are sent to his new school
- Contact the new school as soon as possible and tell them about any special needs your child may have
- Take copies of your child's important school records with you to the new school

Keeping your own records and copies of school records may take time. However, good records will be helpful to you and to your child's school.

STEPS IN PLANNING YOUR EXCEPTIONAL CHILD'S EDUCATION

". . . As a parent, you will want to know what to expect . . ."

There are a number of things that must happen before your child can receive a special program. Most children will go through all of the steps described in the following pages. As a parent, you will want to know what to expect. You will want to work with the school by:

- Giving information
- Making suggestions
- Asking questions
- Helping to make decisions

Your child has Due Process rights at each step. Due Process rights help to make sure that decisions are made in ways that are fair to the student, his parents, and the school. One of the most important parts of Due Process is the right to have a ***Due Process Hearing***. This is a meeting used to settle disagreements between parents and schools.

There are many ways to solve problems. Most problems can be worked out by talking to, or meeting with, people at the school or School Board Office. In a few cases, disagreements will be harder to settle. If other ways of solving problems have not worked, either you or the

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school may ask for a Due Process Hearing. You and the school have the right to do this at any of the steps described on the following pages. Booklet 3 will give you ideas on how to solve problems. It also explains Due Process rights.

The steps in planning your child's education are:

Step 1: REFERRAL
Step 2: EVALUATION
Step 3: STAFFING
Step 4: INDIVIDUAL EDUCATIONAL PROGRAM—IEP
Step 5: THE PROGRAM STARTS

Each of these steps is fully described on the following pages. You should keep in mind that each local school district may have a slightly different way of carrying out the steps.

Step 1: REFERRAL

The first thing that will happen is that your child will be referred for Exceptional Student Education. ***Referral*** means that someone tells the school that your child may have special learning needs. There are different ways to refer children:

- You may tell the school that you think your child needs special help
- A teacher may fill out a referral form
- A student may not do well on tests called ***screenings***—for example, tests of vision or hearing—and may be referred because of test results
- A doctor, social worker, or other such person may contact the school about your child
- Older students may ask for special help themselves

No matter who has referred your child, you should be told about it. You should know when the referral was made and why. If you make the referral yourself, write down who you talked to and the date. If you write a letter or note, keep a copy.

PARENTS' RECORD—REFERRAL

Who made the referral (if you know)? ______________________

When was the referral made? ______________ Age of child: ______

Why was the referral made? ______________________

____

Meeting (conference) about the referral:

Who met with you?

Name ______________ Title ______________

Name ______________ Title ______________

Date meeting was held: ______________ Place meeting was held: ______________

Results of meeting: ______________________

____

Was there another meeting (conference) about the referral? ☐ Yes ☐ No

Who met with you?

Name ______________ Title ______________

Name ______________ Title ______________

Date meeting was held: ______________ Place meeting was held: ______________

Results of meeting: ______________________

____

Sometimes a record is made of meetings (conferences) about the referral. If so, ask for a copy and keep it in your file.

Keep a copy of all record(s) in your file.

Step 2: EVALUATION

After a referral is made, the school will give your child a full, individual evaluation. An evaluation is a way of collecting information about a student's learning needs, strengths, problems, and interests. It is used to make decisions about whether a student is exceptional and ***eligible*** for special education programs and services. Sometimes evaluation is called ***assessment*** or testing. No decisions about Exceptional Student Education programs and services can be made until after the evaluation is finished.

Before your child can be evaluated, you must give your ***consent***. The school will ask you to sign a form or letter showing that you agree to have them do the evaluation. The school will tell you, in writing:

- The reasons for the evaluation
- The kinds of tests and ways of evaluating that will be used
- About Due Process rights
- Who to contact if you have further questions

The people doing the evaluation will try to answer some questions about your child:

- What does the child do well?
- What does he know or not know?
- How does he learn best?
- What learning needs does he have?
- Does he seem to be exceptional—handicapped, impaired, disabled, or gifted?
- Which kind of exceptionality does he seem to have?

An evaluation should look at all the areas in which a child may have special needs. It must look at your child in more than one way. Some of the ways to evaluate children are to:

- Watch the child work
- Talk with parents about things the child does at home and what he was like when he was younger
- Check on health and physical problems
- Talk to the child
- Review school progress
- Give individual tests

The individual evaluation will be done specifically for your child and must be appropriate for him. This means that the evaluation will:

- Use tests that are written for students who are like your child
- Be socially and culturally fair—not giving an untrue picture of your child because of his race or culture
- Be done in your child's own language
- Give your child every chance to show what he knows and can do
- Not use tests or records that were done for whole groups of children

More than one person will help to do the evaluation. People who may do parts of the evaluation are:

Teachers
School Psychologists
Social Workers
Occupational or Physical Therapists
Doctors or Nurses
Speech and Language Clinicians
Audiologists (hearing specialists)

After the evaluation is finished, the people who worked on it will write one or more reports. You may ask to read the reports. You may ask to meet with anyone who was part of the evaluation team. It is often a good idea to ask evaluation team members to explain their findings and reports to you. You may ask for your own copy of any report. Sometimes there is a small charge for this. Be sure to keep copies of evaluation reports in your file.

PARENTS' RECORD—EVALUATION

Date of evaluation: ______________________ Age of child: __________

What kinds of evaluation (testing) were done? ______________________

____

____

____

Who did the evaluation? ______________________

Name ______________ Title ______________

Name ______________ Title ______________

Name ______________ Title ______________

Name ______________ Title ______________

Where was the evaluation done? ______________________

____

Did you read the report(s) ☐ Yes ☐ No

If yes, when? ______________ Where? ______________

Did someone explain the report(s) to you? ☐ Yes ☐ No

If yes, who? ______________ When? ______________

Do you have a copy of the report(s) ☐ Yes ☐ No

Keep copies of all evaluation reports in your file.

Step 3: STAFFING

After all parts of the evaluation are done, people from the school will hold a meeting. This meeting is called a ***Staffing,*** or Eligibility Staffing. The people at the meeting will decide whether your child is eligible for Exceptional Student Education. A child is eligible when his special learning needs are the same as those listed in the **State Board of Education Rules** for Exceptional Student Education. Questions that will be answered at this meeting are:

- Is your child exceptional—handicapped, disabled, impaired, or gifted?
- What is his exceptionality?
- What kinds of special learning needs does he have?
- For which special program(s) is he eligible?
- What might be the best program, class, or school for him?

There must be at least three people at the Staffing meeting. One of these people will be the Exceptional Student Education Director, or a person he may send to take his place. The other people who may be part of the meeting are:

Principals
Guidance Counselors
Teachers
People who helped with the evaluation
Public Health Nurses

The school does not have to invite parents to the Staffing unless the IEP will be written at this time. The IEP is discussed in detail in the next section—Step 4, page 24.

The Staffing group will look at, study, and discuss all of the information they have about your child. They will use the evaluation, reports, medical records, school progress reports, test results, referral information, and any information you have given them to make decisions about your child. The group has three choices:

- Your child is exceptional and eligible for special programs or services
- Your child is not exceptional and does not need special programs or services
- There is not enough information to reach a decision, and more evaluation is needed

If the Staffing group decides that your child is exceptional and eligible for Exceptional Student Education, they will usually suggest a special class, program, or school for him.

After the Staffing, the school must send you a written description of the results of the Staffing meeting. This letter, or ***notice,*** will tell you:

- About the decisions that were made
- What kinds of information and rules were used to make the decisions
- About the program, school, or class that was suggested
- About other programs that were discussed, and why they were not suggested for your child
- About Due Process rights
- Who to call if you have questions

The school cannot put your child in an Exceptional Student Education program until you agree that it is right for him. You will be asked to sign a form or letter showing that you give your consent or approval for the program. If you do not agree with the decisions that are made by the Staffing group, you should contact the principal of the school or the Exceptional Student Education Director in your School Board Office.

". . . Ask questions if you are not clear about what will happen next and why . . ."

If you are asked to go to the Staffing meeting, you will want to get ready. Read the materials in your file or notebook again. Take your records with you to the meeting. You may also want to make notes for yourself and take them along.

When you get the letter telling you about the results of the Staffing, be sure that you understand what it says. Ask questions if you are not clear about what will happen next and why. The notice will give you the name of a person to get in touch with if you have any questions. If any of the words that were used in talking about your child are unfamiliar to you, contact that person and ask for an explanation of their meaning. Be sure to keep the letter informing you of the results of the Staffing.

If the group has decided that your child is not eligible for Exceptional Student Education, and you agree, there is nothing further that needs to be done. You can stop reading here. If you do not agree with the decision, you may want to read Booklet 3 for information on how you can work with the school to solve the problem.

PARENTS' RECORD—BEFORE STAFFING

What problems does your child have at school?

What problems does he have at home?

What does he like best?

What does he not like?

What is he good at?

What kind(s) of help do you think he needs?

What questions do you have for the people at the school?

PARENTS' RECORD—AFTER STAFFING

Date: ______________________ Time—From: __________ To: __________

Place: ____

People at the meeting (list all you know):

Name ____________________ Title ____________________

Name ____________________ Title ____________________

Name ____________________ Title ____________________

Name ____________________ Title ____________________

Name ____________________ Title ____________________

Name ____________________ Title ____________________

Results of meeting:

Child is exceptional? ☐ Yes ☐ No

Child is eligible for what kind(s) of program(s)? ______________________

____

Program, class, or school suggested: ______________________

____

What will happen next? ______________________

____

When? ____

Keep a copy of the letter you get in your file.

". . . The IEP is a plan that tells you, the school, and the teachers what special learning needs your child has . . ."

Step 4: THE INDIVIDUAL EDUCATIONAL PROGRAM—IEP

If the group at the Staffing decides that your child is exceptional, and eligible for Exceptional Student Education, the next step is to write an Individual Educational Program. This is often called the IEP. The IEP is a plan that tells you, the school, and the teachers what special learning needs your child has. It also describes the special programs and services that are planned to meet those needs.

The program cannot begin until the IEP is written. There will be a meeting held to write the IEP. Sometimes the IEP will be written during the Staffing meeting. See Step 3, page 19. Other times another meeting will be held. The IEP is not really finished until both you and the school agree that it is right for your child.

You will get a notice—a letter, telephone call, or visit—from the school before each IEP meeting. You will be told the day, time, and place for the meeting; who will be there; and why it is being held. Ask the school to change the day, time, or place if you cannot go. Since the school wants your help in writing the IEP, they will try to find a day, time, and place that is good for both you and school staff members. If you choose not to go to the meeting, the school may go ahead and write the IEP without you.

There are several people who must be at the IEP meeting. They are:

A person from the School Board Office
Your child's teacher(s), or someone who could be his teacher
A person who helped with, or knows about, the evaluation
You—both parents, if possible

Other people who may be at the meeting are:

Your child
Principal
Guidance Counselor
Speech and Language Clinician
Anyone you wish to bring with you
People asked by the school, such as the Public Health Nurse

You will want to keep in mind that:

- The IEP is a written plan for your child only
- It is written at a meeting with you there to help
- Your child cannot start any Exceptional Student Education until the IEP is done
- The IEP is not done until both you and the school agree that it is right for your child

There are many other things to know about IEP's. Please read Booklet 2 before you go to an IEP meeting.

Step 5: THE PROGRAM STARTS

After the IEP is finished, the special programs and services should start right away. Of course the school may need a few days to get everything ready. You will want to do several things before your child starts his new program.

- If your child is going to a new school or class, visit—meet the principal and teachers—call the school first
- Talk to your child—tell him what is going to happen and a little about his new teacher or class
- If he will be riding a special or a different bus, check on the times

After your child has started the new program, you will want to keep in touch with the teacher(s). Find out if your child is working well and what he is learning. Visit the class every once in a while. Before you visit, be sure to call the school and let the principal or teacher know that you are coming. Always talk with the teacher(s) after a visit. If there are some problems, you may be able to help the school work them out. If things don't get better, you may ask for changes to be made. If you want to ask for changes, read Booklet 3.

". . . After your child has started the new program, you will want to keep in touch with the teacher(s) . . ."

PARENTS' RECORD—SPECIAL PROGRAM

Name of program or class: ____________________

Date child started: ____________________ Age of child: __________

Name of school: ____________________

Address: ____________________ Telephone number: __________

Teacher(s)	Principal
Name __________	
Name __________	Name __________
Name __________	

Your visits to the school or classroom:

1. Date: __________ Purpose: __________

   What did you learn? ____________________

   ____

2. Date: __________ Purpose: __________

   What did you learn? ____________________

   ____

3. Date: __________ Purpose: __________

   What did you learn? ____________________

   ____

Always discuss your visit with the teacher(s).

STEPS IN CONTINUING YOUR EXCEPTIONAL CHILD'S EDUCATION

". . . Your child's needs will change as he grows and learns new things . . ."

After your child begins his Exceptional Student Education programs and services there are some things that will happen on a regular basis. There are some other kinds of actions that can happen as your child grows and his needs change. Your child will continue to have Due Process rights through each of the following steps:

Step 6: IEP REVIEW
Step 7: RE-EVALUATION
Step 8: STAFFING

Step 6: IEP REVIEW

Your child's needs will change as he grows and learns new things. Sometimes things will change at school or at home. For these reasons, you will want to watch your child carefully. Keep in touch with people at the school. At least once each year a meeting will be held to talk about your child's progress in school. This is called an ***IEP Review*** meeting.

The people at this meeting will look at the IEP to see if it needs to be changed. Meetings can be held more often than once a year. You, the school, or the teacher can ask for a Review meeting at any time. The questions that will be asked at this meeting are:

- Have your child's needs changed?
- What kind of progress has he made?
- Does he need a different kind of program or class?
- Should the IEP be changed?
- Should different goals and objectives be written?

You will get a notice—a letter, telephone call, or visit—about this meeting. If you cannot go, call the school and ask for a different time or place. You will want to get ready for this meeting in the same way you do for other meetings. Read over your file or notebook. Make a list of things you want to talk about at the meeting. Have your questions and suggestions ready. You might want to visit the class and talk to the teacher again. Review Booklet 2 before you go to the meeting.

There are several different things that may be decided at the Review meeting:

- No changes in programs or services are needed
- The class, program, or school needs to be changed
- All or part of the IEP needs to be changed
- Another Staffing meeting should be held
- Another evaluation is needed

Remember that no changes may be made until you and the school agree, and the IEP is rewritten.

". . . Remember that no changes may be made until you and the school agree, and the IEP is rewritten . . ."

Step 7: RE-EVALUATION

If your child continues to need Exceptional Student Education programs and services, the school must do another evaluation every three years. This is called a ***re-evaluation***. A re-evaluation can be done more often if there is a good reason for it. A medical evaluation may need to be done every year. Some reasons for doing a re-evaluation are:

- Teachers or school staff members need more information on how to teach and work with your child
- There are questions about whether your child's programs and services are the best ones for him
- You or the school feel that your child may be ready to go back to a regular education program

The re-evaluation will be done in much the same way as the first evaluation was done. See Step 2, page 16. There are only two important differences:

- The re-evaluation may not use exactly the same tests or ways of collecting information as were used in the first evaluation
- The school does not need your consent to do a re-evaluation

The school should let you know, in writing, before they re-evaluate your child. After the re-evaluation they will explain the results to you. If you have questions or problems about the re-evaluation you should ask to meet with the principal of your child's school or the Exceptional Student Education Director.

PARENTS' RECORD—RE-EVALUATION

Date of re-evaluation: ______________________ Age of child: __________

Reason for re-evaluation: ______________________

____

What kinds of evaluation (testing) were done? ______________________

____

____

Who did the re-evaluation?

Name ______________ Title ______________

Name ______________ Title ______________

Name ______________ Title ______________

Name ______________ Title ______________

Where was the re-evaluation done? ______________________

Did you read the report(s)? ☐ Yes ☐ No

If yes, when? ______________ Where? ______________

Did someone explain the report(s) to you? ☐ Yes ☐ No

If yes, who? ______________ When? ______________

Do you have a copy of the report(s)? ☐ Yes ☐ No

Keep copies of any re-evaluation reports in your file.

Step 8: STAFFING

There are times when another step is needed. As a child's special learning needs change, it may be necessary to hold another Staffing meeting. A Staffing meeting will be held when there is good reason to think that a child has become eligible for a different kind of Exceptional Student Education program. A Staffing meeting will also be held if you or the school think that your child has improved to the point that he no longer needs certain special programs or services. This kind of meeting is called a ***Dismissal*** or Exit Staffing.

Some examples of times when another Staffing will be needed are:

- A student has been in a program for the Specific Learning Disabled but needs a program for the Emotionally Handicapped
- A student has been in a program for the Mentally Handicapped and getting Speech and Language Therapy—his speech and language have become so much better that he no longer needs the Speech and Language Therapy
- A student has been in a program for the Physically Handicapped—he has made so much progress in this program that he no longer needs any Exceptional Student Education programs or services

The school will send you a written notice if a Staffing group has decided to change your child's eligibility or to dismiss him from any part of his Exceptional Student Education.

Even after your child has been dismissed, you should keep copies of your records. The records will be helpful if, at some later time, your child needs to be referred again, or if you need to prove to another school system or public agency that he was exceptional.

PARENTS' RECORD—STAFFING (AS NEEDED)

Date: ______________________________ Age of Child: __________

People at the meeting (list all you know):

Name ______________________ Title ______________________

Name ______________________ Title ______________________

Name ______________________ Title ______________________

Name ______________________ Title ______________________

Results of meeting:

Decisions: ____

____

____

Reasons for decisions: ___________________________________

____

____

What will happen next? ___________________________________

____

When? ____

This form is meant to be used only when there is a need for another Staffing. Some children will need another Staffing. Other children will not.

Keep a copy of the letter you get in your file.

KINDS OF EXCEPTIONAL STUDENT EDUCATION PROGRAMS & SERVICES

" . . . In almost every case the local public school will have the programs and services your child needs . . ."

Because every child is different and has different learning needs, there are many different kinds of programs and services. The law says that your child must get the special help that is best for him. It says that the programs must be appropriate. The law also says that your child must get this special help in the ***Least Restrictive Environment***. This means that he will spend as much time as possible in a regular or basic class. A full-time special class or school is best for some children. Other children can do well in a regular classroom for some or most of the time.

There are two types of special help for exceptional children. One has to do with the kind of class or program to which the child goes. Special classes or programs may be:

- A regular (basic) class for all subjects, with special materials or extra help from the teacher
- A regular (basic) class for some subjects and a small, special group, called a "Resource" class, for other subjects
- A special class for all subjects
- A special school for the whole day
- A special place to live and go to school
- Teaching given at home or in a hospital

Each of these classes or programs is open to your child, if he needs and will benefit from what they have to offer. The decision about which type of program is best for your child will be based on all the information you and the school have about his needs, strengths, abilities, and disabilities.

The other type of special help is called ***Related Services***. Your child may not need any Related Services or he may need more than one. Some Related Services are:

- Readers for the blind
- Interpreters for the deaf
- Diagnostic and evaluation services
- Social services
- Special transportation
- Student counseling
- Parent counseling or training
- Job placement

All of the classroom programs and Related Services together make up a child's appropriate Exceptional Student Education in the least restrictive environment.

In almost every case the local public school will have the programs and services your child needs. A few children have so many different special learning needs that the local public school will not have programs for them. When this happens, the school system will help to find a program. Sometimes several districts will work together to provide a program for these children. If your child goes to another district for his program, a bus or other transportation will be set up for him. Other public agencies will also have programs for some children. Your local school system will help you if your child needs a program run by another agency. As a very last resort, the public school system will look for a private school for your child. This will happen only if there is nothing else that meets your child's needs. There will be no cost to you if your child does have to go to another district, a state-run program, or a private school. Remember that a decision like this must be agreed to by both you and the school.

There are some things that you can look for in any kind of Exceptional Student Education:

Small Groups/Individualized Instruction

Special teaching is usually given in small groups. No matter what the group size, the teaching will be planned to meet the needs of each individual child. Your child will get the kind of teaching and materials that are best for him.

Special Materials and Equipment

The teacher may use some things such as books, kits, learning games, or equipment that are different from the things you would find in regular classrooms. Sometimes these things are used with just your child. The teacher may also use materials like those used in regular classrooms.

Teachers

The teachers in Exceptional Student Education must have special training and skills before they may work with exceptional children.

Subjects

Many children will get the same subjects, such as reading and math, as any other child. In some classes, students will learn other kinds of things—skills that will help them in everyday life. These might be telling time, getting dressed alone, and so forth. Gifted students may study advanced subjects. Every child will get some kind of physical education.

Other Activities

An exceptional student should not be kept out of school activities just because of his exceptionality. Your child has the same right to be in sports, music activities, or clubs as any other student, if he meets the requirements set up for all the other students.

Building

No matter what kind of exceptionality a child may have, he should be in a building that meets his special needs. The building should be safe. It should be arranged so that each child can move around easily. It should allow all students to get to every part of the building—gym, library, bathroom, cafeteria—that they need to use.

Vocational or Career Training

Older students should have some kind of vocational or career training as part of their special program.

If your child goes to a private school and has special needs, you should know that he may be able to get some services, especially evaluation, from the public school. Call the Exceptional Student Education Director in your local School Board Office if you need to find out about this.

FINAL COMMENT

Because of the laws and rules, you and your child have many rights. They are meant to help you and the people at the school work together. At times you and the school may not agree. Even when you don't agree, you should know that the school really does want to help. There are ways of working out problems so that everyone can feel good about the decisions. You will want to read the other materials in this envelope. They will help you in understanding your rights and how to work with the school.

PARENTS' DICTIONARY

Assessment—A way of collecting information about a student's special learning needs, strengths, and interests. An assessment may include giving individual tests, observing the student, looking at records, and talking with the student and/or his parents. See also "Evaluation."

Autistic—A word which describes a kind of emotional handicap or exceptionality. The autistic student may seem to act, talk, think or behave very differently from other students his age. He may not like to be close to people. In order to be eligible for "autistic" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

Consent—Parents show that they agree to let the school take an action which affects their child's education. Consent is usually shown by the parent signing his/her name on a form or letter which describes the action the school wants to take.

Deaf/Blind—A kind of handicap or exceptionality. A deaf/blind student has such severe problems with both seeing and hearing that he cannot learn well in either a program for the deaf or a program for the blind. In order to be eligible for "deaf/blind" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

Disability—A problem or condition which makes it hard for a student to learn or do things in the same ways as most other students. A disability may be short-term or permanent. See also "Handicap" and "Impairment."

Dismissal—A decision made by a Staffing group. It says that a child no longer needs a certain Exceptional Student Education program or service.

Due Process—A set of rights having to do with how decisions are made. These rights help to make sure that exceptional students and their parents are treated fairly.

Due Process Hearing—A meeting held to settle disagreements between parents and schools in a way that is fair to the student, his parents, and the school. The meeting is run by an impartial Hearing Officer.

Eligible—A decision made by a Staffing group. It says that a student is exceptional and in need of Exceptional Student Education programs and services. The decision is based on state and local school board rules.

PARENTS' DICTIONARY

Emotionally Handicapped—A kind of exceptionality. An emotionally handicapped student may seem to act differently, think differently, or have different feelings than most other students his age. This includes students who are "severely emotionally disturbed." In order to be eligible for "emotionally handicapped" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

Evaluation—A way of collecting information about a student's special learning needs, strengths, and interests. It is used to help make decisions about whether a student is exceptional and eligible for Exceptional Student Education programs and services. It may include giving individual tests, observing the child, looking at records, and talking with the student and/or his parents.

Exceptional Student—A student who has special learning needs as described in state and local school board rules. This includes students who have a handicap, a disability, or an impairment, as well as those who are gifted. Children do not have to be in school to be "exceptional students."

Exceptional Student Education (ESE)—The name given in Florida to educational programs and services for students with special learning needs. It is sometimes called "special education."

Free Appropriate Public Education—The words used in the federal law, P.L. 94-142, to describe an exceptional student's right to a special education which will meet his individual special learning needs, at no cost to his parents.

Gifted—A kind of exceptionality. The gifted student is one who is very, very bright or smart and who learns things much more quickly than other students his age. In order to be eligible for "gifted" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

Handicap—A problem or condition which makes it hard for a student to learn or do things in the same ways as most other students. A handicap may be short-term or permanent. See also "Disability" and "Impairment."

Hearing Impaired—A kind of handicap or exceptionality. The hearing impaired student is one who has a loss of some or most of his ability to hear. This includes students who are deaf or hard-of-hearing. In order to be eligible for "hearing impaired" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

PARENTS' DICTIONARY

Homebound/Hospitalized—A kind of Exceptional Student Education for a student who must stay at home or in a hospital for a period of time because of a severe illness, injury, or health problem. In order to be eligible for "homebound/hospitalized" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules*.

IEP Review—A meeting held at least once a year to look at, study, and talk about an exceptional student's IEP. The purpose of the IEP Review is to make decisions about changes in the IEP.

Impairment—A problem or condition which makes it hard for a student to learn or do things in the same ways as most other students. An impairment may be short-term or permanent. See also "Disability" and "Handicap."

Individual Educational Program—IEP—A written plan which describes an exceptional student's special individual learning needs and the Exceptional Student Education programs and services which will be given to that student.

Least Restrictive Environment—The educational setting or program which helps the exceptional student to work and learn to the best of his ability, and which allows him to spend as much time as possible, anywhere from all to none, in a regular program.

Mentally Handicapped—A kind of handicap or exceptionality. The mentally handicapped student is one who may not be able to learn as quickly or as much as most other students his age. This includes students who are "educable," "trainable," or "profound." In order to be eligible for "mentally handicapped" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules*.

Notice—A way of telling parents about an action the school plans to take that will affect their child's education.

Occupational Therapy—Treatment for an exceptional student which helps him to develop mental or physical well-being in areas of daily living such as self-care and pre-vocational skills, etc. This treatment is given by a trained Occupational Therapist. In order to be eligible for "occupational therapy" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules*.

PARENTS' DICTIONARY

Physically Impaired—A kind of exceptionality. The physically impaired student is one who has a severe illness, condition, or disability which makes it hard for him to learn in the same ways as other students his age. In order to be eligible for "physically impaired" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

Physical Therapy—Treatment for an exceptional student which helps to maintain or improve his use of bones, joints, muscles, and nerves. This treatment is given by a trained Physical Therapist. In order to be eligible for "physical therapy" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

Profoundly Handicapped—An Exceptional Student Education program or kind of class for students who have very severe handicaps. Students who are "severely emotionally disturbed," "autistic," "profoundly mentally handicapped," or "deaf/blind" may be in this kind of program or class.

Re-Evaluation—To evaluate again. An exceptional student must be re-evaluated every three years. See "Evaluation."

Referral—The act of telling a school or agency that a student may have special learning needs. A referral can be made by a parent, a teacher, a doctor, or any person who has worked with the student. Children do not have to be in school to be referred.

Related Services—Special help given to an exceptional student in addition to classroom teaching or instruction. "Related Services" are given so that a student can benefit from his teaching or instruction. Examples of "Related Services" are transportation, social services, job placement, and readers for the blind.

Screening—A way of looking at or testing a group of students to find out if any of them need to be referred for individual evaluation.

Specific Learning Disabled—A kind of handicap or exceptionality. The student with a specific learning disability is one who seems to have average or better ability, health, vision, hearing, and intelligence, but is still unable to learn things as easily or quickly as most other students his age. In order to be eligible for "specific learning disabled" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

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PARENTS' DICTIONARY

Speech and Language Impaired—A kind of handicap or exceptionality. The speech or language impaired student is one who has problems in talking so that he can be understood, sharing ideas, expressing needs, or understanding what others are saying. In order to be eligible for "speech and language" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

Staffing—A meeting at which a group of school staff members decide whether or not a student is exceptional, what kind of exceptionality he has, and whether or not he is eligible for Exceptional Student Education programs and services. Sometimes parents may be asked to be at this meeting.

Visually Impaired—A kind of handicap or exceptionality. The visually impaired student is one who has a loss of some or all of his ability to see. This includes students who are blind or partially sighted. In order to be eligible for "visually impaired" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

State of Florida
Department of Education
Tallahassee, Florida
Ralph D. Turlington, Commissioner
Affirmative action/equal opportunity employer

FLORIDA: A STATE OF EDUCATIONAL DISTINCTION.
"On a statewide average, educational achievement in the State of Florida will equal that of the upper quartile of states within five years, as indicated by commonly accepted criteria of attainment."
Adopted, State Board of Education, Jan. 20, 1981

This public document was promulgated at a cost of $14,375.65, or 36 cents per copy, to provide information on Exceptional Student Education to parents of Florida's exceptional students.

For Parents of Exceptional Students . . . An Information Series:

The Individual Educational Program—IEP

Booklet 2

EC150333

For Parents of Exceptional Students . . . An Information Series:

The Individual Educational Program— IEP

Booklet 2

State of Florida
Department of Education
Ralph D. Turlington, Commissioner
Tallahassee, Florida
Division of Public Schools
Bureau of Education for Exceptional Students
1982

This series was developed by the Florida Department of Education in cooperation with the South Atlantic Regional Resource Center. Among those who have made significant contributions are:

Parents of Exceptional Students

The Task Force for Parent Information/Education

Staff Members of the Bureau of Education for Exceptional Students

Staff Members from Florida's Local School Districts

The Florida Diagnostic and Learning Resources System

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INTRODUCTION

". . . Every child who is eligible for Exceptional Student Education will have an IEP written for him or her . . ."

This booklet has been written to help parents of children in Florida's school districts understand the Individual Educational Program—IEP. The IEP is a written plan for an exceptional student's special education and related services. Every child who is eligible for Exceptional Student Education will have an IEP written for him or her.

The word "parents" includes anyone who has major responsibility for the care and well-being of a child. If you are a person who has such responsibility—parent, grandparent, surrogate parent, foster parent—and your child is exceptional, you will be asked to help write the IEP. You may have questions like:

- What is an IEP?
- How will an IEP help my child?
- When and how is an IEP written?
- What are the parts of an IEP?
- Who writes the IEP?
- How can I help to write the IEP?

Most parents have these questions. You may have many more. This booklet will answer some of them and list places to go for answers to others.

Before you read this booklet, there are several things you should know:

- You do not need to read the whole booklet at one time. Check the **"Table of Contents"** to find the parts you want or need to read.
- You can look at the back of this booklet to find out the meanings of the words underlined in color. Definitions also are given in the **"Parents' Dictionary"** in Booklet 4.
- In this booklet and the others in the series, the word "he" is used to talk about any exceptional student, boy or girl.
- The information given in this booklet is true for any exceptional child from age five through eighteen, whether or not he is already in school. Some of the information may be true for a child younger than five or older than eighteen. Talk with the Exceptional Student Education Director in your local School Board Office to find out about this.
- It is very helpful for you to keep some records of your own. In this booklet you will find "Parents' Record" pages which will give you ideas on information to keep in your records.

In addition to this booklet, there are other booklets in this series that may help you to better understand your child's rights to an education:

Booklet 1, EDUCATING FLORIDA'S EXCEPTIONAL STUDENTS, will answer questions such as:

- Will the school work with my child?
- Where can I find a good program for him?
- Is my child too young or too old for a special program?
- Is this going to cost me a lot of money?
- What can I do to help?

Booklet 3, RIGHTS AND RESPONSIBILITIES, will answer questions such as:

- What is Due Process?
- What are my Due Process rights?
- How can I best use my rights to Due Process?
- What are my rights to participate, have notice, give consent, and have a Due Process Hearing?
- How can I work with the school to solve problems?

Booklet 4, RESOURCES AND REFERENCES, contains this useful information:

- **"The Parents' Dictionary"**—meanings for some of the words used by schools to describe your child and his education, and **all** the color-underlined words in this series of booklets.
- **"Reading Materials for Parents"**—a list of other written materials that may be of help to you.
- **"Excerpts from Laws and Rules"**—a copy of some of the more important parts of the laws and rules about Exceptional Student Education.
- **"Where To Go for Help"**—a list of some groups or agencies which may be of help in answering questions or giving you more information.

Booklet 5, PARENTS' EDUCATIONAL RECORDS (the last booklet in this series) contains copies of all the "Parents' Record" pages from Booklets 1, 2, and 3. You can use these pages to write down important information about your child and his education. You will also find "Sample Letters" which give ideas on how to ask the school to do certain things.

We hope that the information in this series of booklets will help you to help your child. As you read and use the booklets, you may find parts that are not clear. There are many people who can help. The people at your child's school or in your local School Board Office will be happy to work with you.

THE IEP—WHAT IT IS

The ***Individual Educational Program—IEP*** is a written plan for an ***exceptional student's*** special education. It describes your child and what you and the school will do to give him the extra help and attention he needs. Since parents help to write IEP's for their children, it is important that you know what goes into an IEP. You should also understand what will happen at IEP meetings and after the IEP is written.

The IEP is a little like a road map for your child's special education. It describes what your child can already do and what he needs to learn. It lists the kinds of special help that your child will need to have in order to learn. The IEP will have in it everything that you and the school agree is important for your child's education. The IEP will tell you:

- What programs and services your child should get
- What kinds of things your child can do and what he needs to learn
- What your child should have learned at the end of a year
- How much time your child will spend in exceptional, regular, and/or vocational education
- Things you have agreed to do to help your child
- Dates when the IEP will begin, end, and be reviewed
- How your child's progress will be measured

There are two very important things for you to remember about IEP's:

The IEP is written for just your child.

There is only one IEP at a time for your child.

THE IEP—WHAT IT IS NOT

". . . There are many things that affect your child's learning . . ."

The IEP is not a daily lesson plan. The IEP covers a whole year. It will not tell you each little thing that a teacher will do with your child. It won't take the place of the kinds of plans that teachers write for a day or week.

The IEP is not an evaluation report. An ***evaluation*** report describes your child's strengths and weaknesses. It lists his interests and special learning needs. The information from an evaluation report is used to help write the IEP.

The IEP is not a contract. The IEP describes things that you and the school have agreed to do for your child. It cannot promise that all the special help will work. There are many things that affect your child's learning. The school cannot control your child's health, or things that happen outside the school, for example.

The IEP does not last forever. As your child grows, learns, and changes, the IEP will need to change. It must be reviewed at least once each year. It may be changed as often as you and the school agree that it needs to be changed.

An IEP is never perfect. You and the school will always learn new things about your child as you work with him. As you work together, you will find ways to make the IEP better and more useful.

USES FOR THE IEP

". . . Get ideas about what you can do at home to help your child . . ."

The IEP should be a working plan that parents, teachers, and school staff members will use. Some ways in which good IEP's may be used are:

The School will use the IEP to:

Know exactly what kinds of programs and services to give your child

Set up a daily or weekly schedule for all your child's programs and services

Arrange for ***IEP Review*** meetings—see page 30

You (Parents) will use the IEP to:

Know which teachers to talk with about your child

Help you know what to look for when you visit the school or talk with the teachers

Keep a record of what kinds of programs and services your child should be getting

Know what information might be helpful to share with the school

Get ideas about what you can do at home to help your child

Know what things you have agreed to do for your child

Teachers will use the IEP to:

Help them plan daily lessons and activities for your child
Work with each other when more than one teacher is seeing your child
Know whether your child is making the kind of progress that he should be
Help them to share information with you
Choose the right kinds of learning materials and equipment for your child

The School Board or District will use the IEP to:

Be sure that each exceptional student is getting the programs and services that are listed on his IEP
Plan for the future—make sure that they have the right kinds of programs and services for all students in the district or county

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CONTENTS OF AN IEP

". . . You will want to be sure that each Program that you and the school have agreed on is listed in the IEP . . ."

An IEP is written on a form. This form may be a little different in each district. You may want to ask for a blank copy of your district's IEP form. On pages 9 and 10 you will find a blank copy of one of the IEP forms used in Florida. Some children will need only a very short IEP—two or three pages. Other children will need much longer IEP's.

No matter what form is used, or how long your child's IEP is, there are nine different kinds of information which must be discussed at the IEP meeting or written into the IEP. As you read these parts, you can also look at the blank IEP on pages 9 and 10. The numbers on the IEP match the descriptions on the following pages.

The nine kinds of information that will be discussed or written into the IEP are:

1. **Exceptional Student Education Programs**
2. **Related Services**
3. **Participation in Regular Education**
4. **Dates**
5. **Signatures**
6. **Present Levels of Performance**
7. **Annual Goals**
8. **Short-Term Instructional Objectives**
9. **Evaluation Criteria and Procedures**

Student Name ______________________
Student ID# ______________________
Current Assignment ______________________
____

Dates:
Initial IEP ______________________
Current IEP ______________________
IEP Review ______________________

FLORIDA INDIVIDUAL EDUCATIONAL PLAN

Exceptional Education Assignment(s):	Initiation Date	Anticipated Duration	Person Responsible
❶	❹	❹	❶
(Location/Program/Organization/Time)			
Related Services:			
❷	❹	❹	❷

Extent to which student will participate in basic or Vocational Education:

❸

Subject hours/% of time Subject hours/% of time

❸

Use of double basic cost factor for full-time students: (Specify required special aids/services/equipment)

Vocational Education ______________________

Physical Education

__________ Regular __________ Adaptive

In Attendance at IEP Meeting:
LEA Representative (Title: ______________________)
Parent(s), Guardian(s), or Surrogate Parent(s)
Student
Teacher(s)
Evaluator(s)
Other(s)

Signature	Date	Signature	Date
❺		❺	

(first of two pages)

Performance or
Subject Area:

Student Name ____________________

Present Level: ❻

Student ID# ____________________

Exceptional Education Assignment ____________________
____

Annual Goal: ❼

Short-Term Instructional Objectives	Evaluation of Short-Term Instructional Objectives		
	Criterion for Mastery	Evaluation Procedures and Schedule To Be Used	Result/Date
❽	❾	❾	

1. Exceptional Student Education Programs

The IEP will list all the Exceptional Student Education Programs your child will have. Some children need only one Program. Other children will need more than one Program. If your child is to go to another school, the name of that school should be written on the IEP. Some kinds of Programs that might be listed on this part are:

- Speech Therapy
- Emotionally Handicapped Class
- Hearing-Impaired Program
- Visually Impaired Resource Class
- School for the Deaf and the Blind
- SLD (Specific Learning Disabilities) Resource Class
- Educable Mentally Handicapped Class
- Occupational or Physical Therapy
- Gifted Resource

The IEP will also tell how much time your child should spend in each Program. It will usually give you the name or title of the person who will make sure that your child has each Program described in the IEP.

You will want to be sure that each Program that you and the school have agreed on is listed in the IEP. Remember that your child may not begin any Exceptional Student Education Program until you have given your signed consent or a ***Hearing Officer*** has decided that the school may place your child in that Program. See Booklet 3.

". . . Each Related Service needed by your child should be listed on the IEP . . ."

2. Related Services

Related Services are special kinds of help that your child may need in order to be successful in school. Each Related Service needed by your child should be listed on the IEP. The number of Related Services will depend on your child. Some children may not need any, or will need only one Related Service. Other children will need several different kinds of Related Services.

Some Related Services that may be listed in this section are:

- Readers for the blind
- Interpreters for the deaf
- Diagnostic and evaluation services
- Social services
- Special transportation
- Student counseling
- Parent counseling or training
- Job placement

Related Services may be provided by agencies outside the school, so long as they are free of charge to you. The IEP will usually give you the name or title of the person who will make sure that your child has each Related Service described in the IEP.

> **". . . If your child can learn a subject in a regular class, he should be a part of that class . . ."**

3. Participation in Regular Education

Each exceptional student should be given an education in the ***Least Restrictive Environment***. This can mean that he will spend some time in a regular or basic class. There will be a place on the IEP to describe how much time your child will spend in regular education. This part may also list school subjects which your child will have in a regular class. Some subjects that might be listed here are:

Academic Subjects
(For example, Reading, Math, Social Studies, Science, Health)

Art

Music

Physical Education

Industrial Arts

Homemaking Education

Vocational Education

Consumer Education

If your child can learn a subject in a regular class, he should be a part of that class. This is one area that you will want to discuss very carefully in the IEP meeting. Some students will be able to spend a lot of time in a regular class. Others may not be able to spend any time in a regular class or school.

4. Dates

You will find places on the IEP for many different dates. The most important of these are:

Initiation Date—Date the program or service will begin

Anticipated *Duration*—Length of time child will need the program or service during the year

Date the IEP Was Written—Usually the date when the IEP is finished and agreed on by parents and school

IEP Review Date—Month and year when you will meet to talk about student progress and changes in the IEP

Signature Dates—The date on which each person actually signed the IEP

5. Signatures

After the IEP is finished, and everyone has agreed that it is right for your child, the people who have helped to write it will be asked to sign their names. Your Signature on the IEP may mean one or more of the following things:

- That you were at the meeting and helped to write the IEP
- That you agree with what is in the IEP
- That you give your consent for your child to begin the special programs and services described in the IEP

Be sure that you know what your signature will mean before you sign the IEP. You may want to take the IEP home with you and think about it before you sign it. You should never sign a blank IEP form or one that is not complete.

6. Present Levels of Performance

The IEP will describe what your child can do and what he knows now. Sometimes this part will include test scores. Other times there will be statements of things your child is, or is not, able to do. These statements are called ***Present Levels of Performance***. Examples of Present Levels of Performance are:

- John can understand what he reads at the third-grade level
- Mary can tie her shoes without help
- Peter is not able to follow one-step directions
- Susan has a score of 1.7 on the **Stanford Arithmetic Test**

There are many different areas of learning that can be described in this section. Some of these are:

Pre-Academic or ***Academic***
(For example, Reading and Math)

Speech and Language

Social

Sensory
(For example, Auditory, Visual and Tactile)

Accommodation

Motor

Self-Help

Emotional Maturity

Physical

Pre-Vocational or ***Vocational***

See the back of this booklet, or the **"Parents' Dictionary"** in Booklet 4, for explanations of each of these areas.

There does not have to be a Present Level of Performance given for each area. A statement will be made only where your child has a special need. Some children will have needs in only one of these areas. Other children will have needs in many of these areas. Present Levels of Performance may include information about what your child does at home.

7. Annual Goals

An ***Annual Goal*** is a statement of what a student needs to learn and should be able to learn over the next year. One or more Goals will be written in each area of learning for which there is a Present Level of Performance given. Goals are written to describe what the student will be able to do by the end of a year. Examples of Annual Goals are:

- John will be able to answer questions about what he reads at the fourth-grade level
- Mary will be able to dress herself without help
- Peter will be able to follow one-step directions
- Susan will be able to work math problems correctly at the 2.5 grade level on the **Stanford Arithmetic Test**

Goals should be written so that at the end of the year, you and the school can decide if your child has learned what you expected him to learn. One of the most important things to remember about Goals is that they should be reasonable. You and the school should not plan too much or too little for your child.

8. Short-Term Instructional Objectives

Short-Term Instructional Objectives are small steps that your child must learn or ***master*** in order to reach his Annual Goal(s). The Objectives will describe the things your child must be able to do before he can reach the Goal(s) set for him. They include a description of how well he will do the task.

If the Annual Goal says, "Mary will be able to dress herself without help," examples of Short-Term Instructional Objectives might be:

- Mary will button her blouse correctly without help
- Mary will put all of her clothes on in the correct order without help
- Mary will put her shoes on the correct feet without help
- Mary will pull up the zipper and close the snap on her skirt without help

There will be at least two Objectives for each Goal. Remember that the IEP is not a daily lesson plan. You will not want the objectives to be so small that your child may finish them in a day or two. You will want to be sure that all the important steps in mastering the Goals you have set are listed as Objectives.

9. Evaluation Criteria and Procedures

By the end of a year, or even sooner, you and the school will want to decide how well your child is doing. ***Evaluation Criteria and Procedures*** describe how the school will measure progress on the Objectives. The Criteria will tell you how much the child must do or how often he must do it. The Procedures might be some kind of test or observation. Examples of Evaluation Criteria and Procedures are:

Criteria	Procedures
• Four out of five times	Daily teacher assessment
• 90%	Teacher-made test
• 100% of the time	Student/teacher count
• For five minutes on each of five days	Daily teacher observation

This is also the place to show how well the child does on each Objective. After using Evaluation Criteria and Procedures to measure progress, teachers and parents should know whether or not the child has mastered the Objectives.

Each of the parts just explained **must** be included in your child's IEP. Some school districts have added other parts to help make the IEP more useful. Some things that can be added are:

- Information on Parent Participation—Describes things that the school has done to notify you about IEP meetings and help you to participate
- Student's and/or Parent's Language—Tells the school what language is spoken by the family
- Health/Medical Information—Describes any special health or medical problems your child may have
- Behavior Management—Describes things you and the school will use to try to improve your child's behavior
- Changes in Tests—Tells people at the school about changes that need to be made in testing your child—for example, a deaf student may need an interpreter to give directions for written tests
- Kind of Diploma That Student Will Get—Some exceptional students will be able to pass the tests needed to get a regular or special diploma—talk with the school about the kind of diploma your child can earn
- Weekly or Daily Schedule—Some schools will attach a copy of the weekly or daily schedule to help show that the student has everything listed on his IEP

INFORMATION NEEDED TO WRITE IEP'S

". . . You will want to share things that worked well or things that did not seem to help . . ."

As you can see, a lot of work goes into writing an IEP. You and the school will need a lot of information about your child before you sit down together to write. Helpful information is found in many kinds of reports and records. You will want to look at as many of these records as possible before going to the IEP meetings(s):

- Referral information
- Evaluation reports
- Observation notes from parents, teachers, and others
- School progress reports if your child has been in school
- Records from doctors, hospitals, and other agencies

There are other kinds of information that will be useful. You will be asked to share what your child does at home. You should be ready to discuss your child's interests and how he learns best. There are many things that you know about your child that will be helpful in writing the IEP.

You and the school may also want to look at descriptions of the programs or services your child will be getting. Teachers may use the guides or directions that come with learning materials used in classrooms. You or the teachers may have tried many different ways of helping your child learn. You will want to share things that worked well or things that did not seem to help. Things that work well with your child should be part of his IEP.

IEP MEETINGS

". . . You should feel free to make your suggestions
and ask questions at any time
during the meeting.
You are part of the team . . ."

The IEP must be written in a meeting or in several meetings. These meetings will be held before your child begins any Exceptional Student Education Program or Related Service. There are four people who should be present at the meeting(s). They are:

- **A person from the school system** who can make sure that your child will get the programs and services listed on the IEP
- One or more of **your child's teachers**—or, if your child is not in school, a teacher of a class he may go to
- **A member of the evaluation team**, or someone who knows about the evaluation that was done for your child
- **You**—both parents, if possible

here are other people who may be at the IEP meeting:

- Your child, if you feel that he can help to make decisions about his own education
- A friend, relative, or other person you have asked to help you
- Other people, asked by the school, who know your child
- People from agencies outside the school who work with your child
- Someone from the program or school in which your child may be placed

It may be helpful to have your child at the meeting(s). Children can often tell us important things about how they learn, what their needs are, and what interests they have. You and the school will need to decide whether to ask your child to come to all, or any part, of the meeting. If he is able to understand what is going on and share some of his own ideas, he should be there. He has a right to help in planning his own educational program.

Before the Meeting

The school must notify you before each IEP meeting. The ***notice*** will:

- Give you a day, time, and place for the meeting
- Tell you the reason for the meeting
- List the types of people who will be at the meeting
- Be written or explained to you in your own language

Because it is important that parents help to write the IEP, the school will want to make sure that you know about the meeting. Usually, the school will send you a written notice. They may also call you, or try in other ways to talk with you about coming to the meeting.

The day, time, and place for the meeting should be ***mutually agreeable***. In other words, they should be good for the parents and for the school. If you get a notice about an IEP meeting that you cannot attend, call the school right away. The school will try to set up a different day, time, or place. However, the meeting will usually be held during the school day.

If you cannot go to a meeting, ask the school if there is some other way that you can give information and share ideas. In many cases, schools will be able to set up telephone calls, a home visit, or some other way of getting your help. If you choose not to help with the IEP, the school may go ahead without you. You still have the right to disagree with the IEP the school has written for your child. However, helping to write the IEP will make it more likely that you and the school will be able to agree.

It is very important that you be able to understand what goes on at the meeting. There should be an interpreter at the meeting if you do not speak English, or if you need someone to sign for you. Let the school know what you need. They will get an interpreter for you. You may bring someone you know to interpret for you, if you wish.

There are several things you can do to help you get ready for the IEP meeting:

- Watch your child at home—make notes on the "Observation Guide" on pages 23 and 24
- Visit your child's class, if he is in school, and watch him work—call the school first
- Read over all the records you have kept—you may want to take them along with you to the meeting
- Ask to look at the records the school has kept—see Booklet 3
- Talk with other people who have worked with your child, such as doctors, babysitters, relatives, or nursery school staff

As you get ready for the meeting, make notes about your child's needs, interests, and behavior. You can use the "Observation Guide" on the following pages to help you plan what you want to say at the IEP meeting.

During the Meeting

There will usually be one person who acts as a "Chairman" or group leader. This person will remind everyone of the purpose for the meeting. He may also set a time when the meeting will end. The first thing that should happen at the meeting is that each person tells who he is and what he does. If this does not happen, ask for this information.

There is no one "best" way to write an IEP. Usually the group will share basic information such as your child's age, school or class, and referral information. Then most IEP teams like to discuss the results of the evaluation. At this point, the group can go in any one of several directions. The important thing to remember is that each of the nine kinds of information listed on page 8 must be discussed, or written into the IEP, during the meeting.

PARENTS' RECORD—BEFORE IEP MEETINGS

Observation Guide

Name of child: ______________________________ Age: ________

What things does your child do best?

- At home: ______________________________
- At school: ______________________________

What problems does your child seem to have?

- At home: ______________________________

  ____
- At school: ______________________________

  ____

How does your child seem to feel about:

- School (if he goes to school)? ______________________________

  ____
- Himself? ______________________________

  ____
- Other children (friends, brothers, and sisters)? ______________________________

  ____
- Adults (parents, teachers, and relatives)? ______________________________

  ____

(first of two pages)

What does your child like to do when he has free time or play time? ______

______

What does your child dislike? ______

______

How well does your child take care of himself (dressing, eating, staying clean, etc.)? ______

______

What kinds of things does your child do to help you at home? ______

______

How well does your child listen to you and follow directions? ______

______

Does your child have many friends? ______
- How old are his friends? ______
- What does he do when playing with his friends? ______

  ______

How much, and how well, does your child talk:
- To you? ______
- To other children? ______
- To adults? ______

What does your child most need to learn in school?

______

______

______

______

(second of two pages)

Present Levels of Performance, Annual Goals, Short-Term Instructional Objectives, and Evaluation Criteria and Procedures are all related to each other. These four parts of the IEP will usually be discussed together.

Exceptional Student Education Programs, Related Services, Participation in Regular Education, and Initiation Dates are also related to each other. These four items, along with the names or titles of the people who will set up the programs and services, are usually discussed during the same part of the meeting.

After everything else is complete, each group member will be asked to sign the IEP. See page 14 for an explanation of what your signature can mean.

You should feel free to make your suggestions and ask questions at any time during the meeting. You are part of the team.

There are several other things to keep in mind during the meeting.

- Each person has something to share, and should have a chance to say what he thinks
- You are free to disagree with any part of the IEP—if you disagree, try to do so in a helpful way; make suggestions instead of getting angry or upset
- If there is one part of the IEP on which people cannot agree, go on to other parts—you can come back to the problem area later
- There can be more than one meeting—the group should take as much time as they need to do a good job
- The IEP is not really completed until everyone agrees that it is a good plan for your child

PARENTS' RECORD—IEP MEETING(S)

Did you get a notice about the meeting? ☐ Yes ☐ No
If yes, date of notice: ________ Number of days before the meeting: ________

Did you get any other kind of notice? ☐ Phone call ☐ Visit ☐ Reminder note
☐ Other: ________

Did you ask to change the date, time, or place? ☐ Yes ☐ No
If yes, were you able to make a change? ☐ Yes ☐ No

Did you go to the meeting? ☐ Yes ☐ No
If no, why not? ________

If no, did the school ask you to help with the IEP in some other way? ________

____

Who was present at the meeting?

Name	________	Title	________
Name	________	Title	________
Name	________	Title	________

Did your child attend the meeting? ☐ Yes ☐ No
Why or why not? ________

Was there a need for more than one meeting? ☐ Yes ☐ No
If yes, give date(s): ________

Were you and the school able to agree on the IEP? ☐ Yes ☐ No
If no, what did you do? ________

____

Did you get a copy of the IEP? ☐ Yes ☐ No

Keep a copy of the IEP in your file.

". . . You will want to help your child get ready for his new program, class, or school . . ."

After the Meeting

If you and the school have not been able to agree on parts of the IEP, there are several things you may do:

- Ask for another meeting
- Ask for additional evaluations
- Talk with the school principal or the Exceptional Student Education Director in your School Board Office
- Ask someone outside the school to help you—a friend, other parents, a parents' group

If these things do not work and there are still problems with the IEP, you or the school may ask for a ***Due Process Hearing***. See Booklet 3.

After the IEP is written, the school will begin the programs and services on which you have agreed. The IEP will give you dates for when each program or service is to begin. Since you usually have the name of the person who is setting up each program or service, you can check to be sure that all the plans are being carried out.

You will want to help your child get ready for his new program, class, or school. You should talk with him and tell him about the program. You may even want to take him to meet his new teacher or see his new room. Call the school first. If special transportation is a Related Service for your child, you should check on the times your child will be picked up and brought home. You will want to help make sure that your child will feel good about his new program.

BEGINNING THE PROGRAM

". . . You will need to stay in touch with people at the school to know exactly when the program will begin . . ."

After an IEP has been written and agreed to, the special programs and services must begin right away. The school may need a little time to get ready:

- Teachers will want to plan for your child
- The school may need to change schedules or get special materials ready
- Sometimes the school will need to make arrangements for special transportation

These things should not take more than a few days. You will need to stay in touch with people at the school to know exactly when the program will begin. If things seem to be taking too long, talk with the school principal or the Exceptional Student Education Director in your School Board Office.

After your child has started his new program, you will want to watch his progress and continue your involvement. You can do this if you:

- Keep in touch with the teacher(s)—find out what you can do at home to help your child
- Ask the teacher to send you notes about how your child is doing
- Visit your child's class—call the school first
- Let your child know that you are interested in his school work

There are times when problems come up. Your child may not do as well as you and the school had hoped he would. You should try to work with the school to solve the problems. They will want your help and will welcome your interest. Most of the time, you and the school together will be able to make the IEP work. If you have tried everything you know to do, and still have not been able to solve the problems, you can:

- Ask for changes in the IEP—see **"IEP Review,"** page 30
- Ask for another evaluation or an ***Independent Evaluation***—see Booklet 3
- Write your concerns in a note or letter to the Exceptional Student Education Director in your School Board Office
- Ask for a Due Process Hearing—see Booklet 3

IEP REVIEW

The School must hold a meeting at least once every year to review and make any needed changes in the IEP. The IEP Review will take place at a meeting very much like the first IEP meeting(s). The people who may help to review the IEP are:

- **A person from the school system** who will make sure that your child will get the programs and services listed on the IEP
- One or more of **your child's teachers**
- **You**—both parents, if possible
- **Your child**, if you and the school feel that he can help to make decisions about his own education
- Anyone you wish to bring with you
- Other people who have worked with your child

The group that meets to review the IEP will discuss questions like:

- Which Annual Goals has your child mastered?
- Which Annual Goals need to be changed? What Annual Goals can be added?
- Do the Programs or Related Services need to be changed?
- Is there a need for more evaluation or another Staffing meeting?

". . . You and the school should agree about the changes made in the IEP at the time of the Review . . ."

You and the school should agree about the changes made in the IEP at the time of the Review. In some cases, changes that are discussed at the IEP Review meeting will have to be made through another Staffing. This will be true if the IEP Review group feels that different kinds of Exceptional Student Education Programs are needed for your child. This will also happen if the group agrees that your child is ready to be dismissed from one or more Exceptional Student Education Programs.

Your rights as a parent are the same for an IEP Review meeting as they are for the first IEP meeting. You have the right to:

- Be notified before the IEP meeting
- Have the meeting held at a time and place that is mutually agreeable to both you and the school
- Help in making decisions about the changes in the IEP
- Bring anyone you want along with you to the meeting
- Have a copy of the IEP
- Have an interpreter at the meetings to translate or sign for you, if you need one
- Ask for another meeting or a Due Process Hearing if you and the school do not agree about changes in the IEP—see Booklet 2

Although IEP Review meetings must be held at least once every year, they may be held more often. Anyone who sees a need may ask for a Review meeting at any time. Good reasons for asking for a Review meeting before the end of the year might be:

- Your child is not making as much progress as he should
- Your child is making more progress than expected
- Your child needs more time or less time in his programs and services
- Your child's needs have changed

If you wish to ask for an IEP Review meeting before the end of the year, you may want to write a letter or note to the school telling them your reasons. The school will hold a Review meeting if you ask them. If for some reason they do not feel that another meeting is needed, they should let you know in writing. If your request is turned down, you may ask for a Due Process Hearing. See Booklet 3.

You will want to prepare for any IEP Review meeting in the same way as you prepared for the first IEP meeting. Look at your own records and the school's records again. You may want to visit the class and talk with the teacher(s). Call the school first. Check over your Parents' "Observation Guide." See page 23. Make notes on anything that has changed. Make a list of things you want to say or suggestions you have for changing the IEP.

PARENTS' RECORD—IEP REVIEW

Date(s) of Review Meeting(s): ______________________________

Did you get a notice about the meeting? ☐ Yes ☐ No

If yes, date of notice: ______________________________

Did you ask to change the date, time, or place? ☐ Yes ☐ No

If yes, were you able to make a change? ☐ Yes ☐ No

Did you go to the meeting? ☐ Yes ☐ No

If no, why not? ______________________________

Who was present at the meeting?

Name ______________	Title ______________
Name ______________	Title ______________
Name ______________	Title ______________
Name ______________	Title ______________

What changes were made in the IEP? ______________________________

____

____

Did you agree with these changes? ☐ Yes ☐ No

If not, what did you do? ______________________________

____

Did you get a copy of the IEP? ☐ Yes ☐ No

Keep a copy of the IEP in your file.

HOW PARENTS CAN HELP

". . . Because you know your child better than anyone else, it is important that you help the school to meet your child's needs . . ."

As you can see from reading this booklet, many people will put a lot of time and effort into writing an IEP for your child. All of the laws and rules about Exceptional Student Education are meant to help make sure your child gets the best possible education to meet his special learning needs. The people at the school and in the School Board Office will work very hard to see that the laws and rules are followed and that your child gets the help he needs.

Laws and rules are not enough. The best program, the best IEP, and the best efforts of the school staff are not enough. Parents must do their part along with the school, so that the program and IEP will have a chance to work. Because you know your child better than anyone else, it is important that you help the school to meet your child's needs.

The following are some of the things that the school expects of you:

- If you have promised to go to a meeting, be there on time, or let the school know that your plans have changed
- Share your ideas and information when you are at a meeting—ask questions when you don't understand
- Listen carefully to others—keep an open mind
- If you disagree, do so in a helpful way—be able to explain why you disagree
- Read the letters and notices you get from the school
- Think carefully about the decisions you are asked to make
- Do the things that you have agreed to do, or let the school know that you can't

Teachers and schools alone cannot do everything for your child. There are things that can be done only by you at home. It is sometimes a good idea to put these things into the IEP. This helps everyone to know who is going to do what. IEP statements about things parents can do might be:

- Parent will take Susan to all doctor's appointments
- Parent will check David's homework every night
- Parent will make sure that Mary is ready for the bus on time every day
- Parent will have Joe dress himself every morning

If you have agreed to do something as part of your child's IEP, you will want to keep in touch with the school. Let them know how things are going and whether your part of the IEP is working.

There are other things you will want to do, even if they are not written into the IEP. You can always help the school if you:

- Show your child that you are interested in his school work
- Send your child to school on time every day
- Make sure that he has the things he needs for school—pencils and notebook, for example
- Make sure he gets enough sleep at night
- Keep in touch with his teacher(s) and ask about his progress
- Go to parent education meetings whenever you can

As you work with your child's school, you will find many other things that you can do to help.

FINAL COMMENT

The IEP is one of the most important tools that schools and parents have to help them work together. The IEP will only be as good as the kind of work and effort that is put into it. If you take the time to prepare for and go to the meetings, it will pay off for your child. The school will want your help in writing and working with the IEP. They will welcome your interest and participation.

PARENTS' DICTIONARY

Academic—Having to do with subjects such as reading, writing, math, social studies, and science.

Accommodation—Learning to do things differently from other students because of a handicap, impairment, or disability. An example of "accommodation" is the visually impaired student who reads by listening to a recording of a textbook.

Annual Goal—A statement in an IEP of what an exceptional student needs to learn and should be able to learn in his special program over the time period of a year.

Due Process Hearing—A meeting held to settle disagreements between parents and schools in a way that is fair to the student, his parents, and the school. The meeting is run by an impartial Hearing Officer.

Duration—The length of time an exceptional student will need to have an Exceptional Student Education program or service.

Emotional Maturity—The student's ability to act, think, and feel in ways very much like most other students his age.

Evaluation—A way of collecting information about a student's special learning needs, strengths, and interests. It is used to help make decisions about whether a student is exceptional and eligible for Exceptional Student Education programs and services. It may include giving individual tests, observing the child, looking at records, and talking with the student and/or his parents.

Evaluation Criteria and Procedures—A set of statements in an IEP which describe what a student will have to do—how much, how often, and in what ways—to show mastery of the "Short-term Instructional Objectives."

Exceptional Student—A student who has special learning needs as described in state and local school board rules. This includes students who have a handicap, a disability, or an impairment, as well as those who are gifted. Children do not have to be in school to be "exceptional students."

Hearing Officer—The person who is in charge of a Due Process Hearing and who makes the decisions after a Hearing. The Hearing Officer cannot work for the local school system. He cannot know the student or be a friend or relative of the family. He is a person who is impartial—fair to both sides, parents and school.

PARENTS' DICTIONARY

Independent Evaluation—An evaluation asked for by a student's parents, and done by someone outside the school—not a school staff member. The person(s) doing the evaluation must be fully trained and qualified to do the kind of evaluation being asked for.

IEP Review—A meeting held at least once a year to look at, study, and talk about an exceptional student's IEP. The purpose of the IEP Review is to make decisions about changes in the IEP.

Individual Educational Program—IEP—A written plan which describes an exceptional student's special individual learning needs and the Exceptional Student Education programs and services which will be given to that student.

Initiation Date—The date, month, and year on which a program or service will begin for an exceptional student.

Least Restrictive Environment—The educational setting or program which helps the exceptional student to work and learn to the best of his ability, and which allows him to spend as much time as possible, anywhere from all to none, in a regular program.

Master—To reach a goal or meet an objective as measured by the "Evaluation Criteria and Procedures."

Motor—Use of the large and small muscles to move different parts of the body. Examples of motor skills are walking, holding and moving a pencil, or opening a door.

Mutually Agreeable—The parents and the school both agree on an issue—a time, date, and place for a meeting, for example.

Notice—A way of telling parents about an action the school plans to take that will affect their child's education.

Physical—Having to do with the use or well-being or the body. An example of a physical skill is being able to sit in a chair with good balance and posture.

Pre-Academic—Having to do with skills a student needs to master before he is a student needs to master before he is ready to learn academic subjects, such as reading and math. Examples of pre-academic skills are knowing colors and holding a crayon or pencil correctly.

PARENTS' DICTIONARY

Present Levels of Performance—Statements in an IEP that describe what a student can do or what he knows now.

Pre-Vocational—Having to do with skills a student needs to master before he is ready to learn vocational or trade skills. Examples of pre-vocational skills are telling time, using a ruler to measure, and following directions.

Related Services—Special help given to an exceptional student in addition to classroom teaching or instruction. "Related Services" are given so that a student can benefit from his teaching or instruction. Examples of "Related Services" are transportation, social services, job placement, and readers for the blind.

Self-Help—Having to do with skills that allow a student to do things for himself. Examples of self-help skills are a student being able to feed himself, dress himself, or cross the street without help.

Sensory—Having to do with the use of the senses of hearing, seeing, touching (feeling), smelling, or tasting as a part of learning. An example of a sensory skill is being able to see the differences between letters of the alphabet.

Short-Term Instructional Objectives—Statements in an IEP which describe small steps a student must learn or master before he can reach the "Annual Goals" set for him.

Social—Having to do with a student's abilities to get along with other people—family, adults, or other children. An example of a social skill is a student being able to play well with other children his age.

Speech and Language—Having to do with a student's ability to speak (talk), write, listen, or read. This includes understanding others and making himself understood. An example of a speech and language skill is being able to put words together into a good sentence.

Vocational—Having to do with skills that will allow a student to be successful in a job or trade. Examples of vocational skills are typing and carpentry.

For Parents of Exceptional Students . . . An Information Series:

Rights and Responsibilities

Booklet 3

EC130333

For Parents of Exceptional Students . . . An Information Series:

Rights and Responsibilities

Booklet 3

State of Florida
Department of Education
Ralph D. Turlington, Commissioner
Tallahassee, Florida
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This series was developed by the Florida Department of Education in cooperation with the South Atlantic Regional Resource Center. Among those who have made significant contributions are:

Parents of
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The Task Force for Parent
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Staff Members of the
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Staff Members from Florida's
Local School Districts

The Florida Diagnostic and
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INTRODUCTION

". . . decisions about your child's education will be made in a way that is fair . . ."

This booklet has been written to help parents of children in Florida's school districts understand the rights and responsibilities that go along with Exceptional Student Education. Every exceptional child has the right to Due Process. This means that decisions about your child's education will be made in a way that is fair. Parents and schools share the responsibility for using Due Process wisely.

The word "parents" includes anyone who has major responsibility for the care and well-being of a child. If you are a person who has such responsibility—parent, grandparent, surrogate parent, foster parent—and you believe that your child is exceptional, you will want to learn about Due Process rights.

You may feel that you need help in understanding how to work with your child and his school. You may have heard that you and your child have Due Process rights. You may have questions like:

- What is Due Process?
- What are my Due Process rights?
- How can I best use my rights to Due Process?
- What are my rights to participate, have notice, give consent, and have a Due Process Hearing?
- How can I work with the school to solve problems?

Most parents have these questions. You may have many more. This booklet will answer some of them and list places to go for answers to others.

Before you read this booklet, there are several things you should know:

- You do not need to read the whole booklet at one time. Check the **"Table of Contents"** to find the parts you want or need to read.
- You can look at the back of this booklet to find out the meanings of the words underlined in color. Definitions also are given in the **"Parents' Dictionary"** in Booklet 4.
- In this booklet and the others in the series, the word "he" is used to talk about any exceptional student, boy or girl.
- The information given in this booklet is true for any exceptional child from age five through eighteen, whether or not he is already in school. Some of the information may be true for a child younger than five or older than eighteen. Talk with the Exceptional Student Education Director in your local School Board Office to find out about this.
- It is very helpful for you to keep some records of your own. In this booklet you will find "Parents' Record" pages which will give you ideas on information to keep in your records.

In addition to this booklet, there are other booklets in this series that may help you to better understand your child's rights to an education:

Booklet 1, EDUCATING FLORIDA'S EXCEPTIONAL STUDENTS, will answer questions such as:

- Will the school work with my child?
- Where can I find a good program for him?
- Is my child too young or too old for a special program?
- Is this going to cost me a lot of money?
- What can I do to help?

Booklet 2, THE INDIVIDUAL EDUCATIONAL PROGRAM—IEP, will answer questions such as:

- What is an IEP?
- How will an IEP help my child?
- When and how is an IEP written?
- What are the parts of an IEP?
- Who writes the IEP?
- How can I help to write the IEP?

Booklet 4, RESOURCES AND REFERENCES, contains this useful information:

- **"The Parents' Dictionary"**—meanings for some of the words used by schools to describe your child and his education, and **all** the color-underlined words in this series of booklets.
- **"Reading Materials for Parents"**—a list of other written materials that may be of help to you.
- **"Excerpts from Laws and Rules"**—a copy of some of the more important parts of the laws and rules about Exceptional Student Education.
- **"Where To Go for Help"**—a list of some groups or agencies which may be of help in answering questions or giving you more information.

Booklet 5, PARENTS' EDUCATIONAL RECORDS (the last booklet in this series) contains copies of all the "Parents' Record" pages from Booklets 1, 2, and 3. You can use these pages to write down important information about your child and his education. You will also find "Sample Letters" which give ideas on how to ask the school to do certain things.

We hope that the information in this series of booklets will help you to help your child. As you read and use the booklets, you may find parts that are not clear. There are many people who can help. The people at your child's school or in your local School Board Office will be happy to work with you.

DUE PROCESS

"... Due Process gives parents and schools a set of tools to help them work together ..."

If you have read Booklet 1, you already know that you and your ***exceptional student*** have many rights. Some of these are the right to:

- A complete, fair individual ***evaluation***
- A ***free appropriate public education***
- An ***Individual Educational Program—IEP***
- A yearly review of student progress

There are many things that must be done before a student can start any special programs and services. There are other things that will happen after special programs and services begin. The **"Steps in Planning your Exceptional Child's Education"** and the **"Steps in Continuing Your Exceptional Child's Education"** are described in Booklet 1. As a part of each step, students, their parents, and schools have another set of rights. These are called ***Due Process*** rights.

Due process rights have to do with how decisions about your child's education are made. The right to Due Process is the right to be treated in a way that is fair. Due Process gives parents and schools a set of tools to help them work together. It gives them ways to solve problems and settle disagreements. Due Process rights are fully described in these books and laws:

Books

- **Florida Statutes** and **State Board of Education Rules**—Pertaining to Education for Exceptional Students
- **District Procedures for Special Programs for Exceptional Students**—One set for each local school system

Laws

- **Public Law 94-142—Education for All Handicapped Children Act**, 1975
- **Public Law 93-112, Section 504—Vocational Rehabilitation Act**, 1973
- **Family Education Rights and Privacy Act**, 1971, also called the "Buckley Amendment"

"Reading Materials for Parents" in Booklet 4, **RESOURCES AND REFERENCES**, will tell you where you can see or get copies of these books and laws.

The laws and rules about Due Process may seem very complicated. They may be difficult to understand and use. School staff members, lawyers, and other people working with the laws spend a lot of time trying to understand all of the meanings of Due Process rights. At the same time, the courts continue to make decisions which affect how Due Process works for exceptional students. Because of this, you should think very carefully about your use of Due Process. Along with reading this booklet on Due Process, you might want some training or other help. The Exceptional Student Education Director in your local School Board Office will be happy to tell you where you can get such help or training.

Due Process was put into the laws and rules to help parents and schools. If you have good reason to believe that your child has not been treated fairly, you should make use of your rights to Due Process. There are people who will help you do this. Many of the groups or agencies listed in Booklet 4 will be able to work with you.

Due Process gives responsibility to both schools and parents. It is meant to make sure that schools and parents do their jobs in ways that are fair to the exceptional student. Due Process is ***impartial***. It does not "take sides." Due Process is not concerned with what may be easy for schools or for parents. It is concerned with what is best for the student.

KINDS OF DUE PROCESS RIGHTS

". . . You have the right to help make certain decisions about your child's education . . ."

There are four different kinds of Due Process rights that will be important to you and your exceptional child.

1: The Right To Participate

Participation—The act of sharing, joining or working with others to make decisions, complete a task, or write an IEP.

You have the right to help make certain decisions about your child's education. Often you will be asked to go to meetings to talk about and help make these decisions. Other times you may ask the school to set up a meeting. In any case, when you use this right to participate, you help your child and the school. When you participate you will want to:

- Share helpful information—things you know about your child
- Ask questions
- Give ideas about what can be done to help your child
- Listen to and think carefully about what other people are saying
- Keep notes or records about the meetings
- Make sure you understand what is going to happen next

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". . . You should make some notes about things you want to say or questions you want to ask . . ."

When you participate and help to make decisions, you will make it easier for you and the school to agree on what is best for your child.

Meetings and conferences should be held in your own language. If you speak sign in language, there should be an interpreter. Be sure to let the school know, before the meeting, if you will need an interpreter. You may bring someone you know to interpret, if you wish.

The school must ask you to participate whenever there is a meeting to write or review your child's IEP. They may ask you to participate in:

- The evaluation of your child
- ***Staffing*** meetings
- Parent education meetings
- Conferences or meetings with teachers or other school staff members

Whenever you are asked to participate, you will want to prepare. You will want to read over your own records or files again. You may want to study parts of Booklets 1 or 2. You can visit your child's class and talk to his teacher(s). Always call the school first. You should make some notes about things you want to say or questions you want to ask. Take them along with you to the meeting. You may also want to take someone with you to the meeting—a friend, relative, or other person who can help you.

2: The Right To Have Notice

Notice—A way of telling parents about an action the school plans to take that will affect their child's education.

There are many times when the school must give you a written notice. A notice tells you about things the school plans to do for your child. It may also tell you about meetings that will be held or decisions that have been made. You will get a notice from the school when:

- There is a meeting you should go to
- The school has agreed to, or turned down, a request you have made
- The school wants to evaluate or re-evaluate your child
- The school wants to change your child's class, program, or services for any reason
- The school has decided, at a Staffing, that your child is or is not exceptional and ***eligible*** for ***Exceptional Student Education***

There are some things that will be true of any notice you get:

- It will tell you what the school wants or plans to do
- It should tell you why the school is asking for a meeting or planning to do something for your child
- It should be written in a way that is easy for you to understand
- You should get the notice in plenty of time for you to make your own plans
- It will tell you about your Due Process rights—what to do if you do not agree with what it says
- It should tell you who to call if you don't understand its meaning, or if you have questions

If you understand and agree with what is in the notice, there is very little you need to do. Keep the notice in your file. Plan to go to any meeting you have been asked to attend. If you do not understand the notice, call the school right away. Someone there will talk with you and explain what the notice means. If you do not agree with what the notice says, there are many things you can do:

- First, contact the person named in the notice
- Then, talk with the principal
- Next, call the Exceptional Student Education Director in your local School Board Office
- Then, ask for a meeting, such as another Staffing or IEP meeting
- You may need to write a letter or note to explain your point of view—see the Sample Letter on page 28 of Booklet 5

Finally, if you still cannot agree, you can ask for a Due Process Hearing. See page 35.

3. The Right To Give Consent

Consent—Parents show that they agree to let the school take an action which affects their child's education.

There are three times when the school must ask for your consent before they do certain things which affect your child. Consent means that you agree to let the school do something for your child. You will be asked to sign your name on a form or letter that says you agree to what the school is planning. Sometimes consent is also called permission. You must be asked for your consent before the school:

- Does the first individual evaluation
- Puts your child in an Exceptional Student Education program for the first time
- Sends your child's records to anyone outside the school

When you are asked to give consent, the school must:

- Explain everything about what they want to do, in your own language, or in a way that you understand
- Tell you of your right to say "No"—that you do not have to give your consent if you don't agree
- Tell you of your right to change your mind at any time—even after you have signed a letter or form
- Explain your Due Process rights

You will want to think very carefully about giving or not giving your consent. After all, you are making very important decisions about your child's education. You will also want to remember that if you decide not to give consent, or change your mind after signing the form, the school may ask for a Due Process Hearing. See page 35.

You have several choices when the school asks for your consent:

- You may agree and sign the form—
  The school will go ahead and do what you have agreed to
- You may ask for more information—
  The school will give you more information, in writing or by talking with you
- You may ask for time to think about what is best for your child—you may want to talk with other parents or friends—you may want to ask for advice from someone outside the school—
  The school usually will give you more time if you ask for it

- You may ask the school to change part(s) of what they are planning—
  The school will either make the change(s) or decide that they can't make the change(s)
- You may decide not to give consent—be sure that the school understands your reasons for this decision—
  The school will either try to help your child in another way or they may ask for a Due Process Hearing—they will only do this when they believe that it is best for your child

NOTE: Most of the time you and the school will be able to work together to make changes and agree on what will be done.

4. The Right To a Due Process Hearing

Due Process Hearing—A meeting held to settle disagreements between parents and schools in a way that is fair to the exceptional student, his parents, and the school.

Parents and schools both have the right to ask for Due Process Hearings. Due Process Hearings are meant to settle disagreements between schools and parents. They should be used only when schools and parents have tried every other way to solve problems.

The Due Process Hearing is a meeting. It is run by a person called a ***Hearing Officer***. The Hearing Officer makes decisions after a Hearing. He is a person who is impartial—fair to both sides, parents and school. The Hearing Officer cannot work for the local school system. He cannot know the student or be a friend or relative of the family. At the Hearing, the Hearing Officer will:

- Listen to the parents tell what they want, and why
- Listen to people from the school talk about their point of view
- Look at the school's and the parents' records
- Ask questions

After the Hearing is over, the Hearing Officer will make decisions and put them in writing.

During the time it may take to get a decision from a Due Process Hearing, your child will stay in his present class or school. Of course, you and the school can agree to make a change in the program, class, or school if you both feel that it is a good idea. Otherwise, no change can be made until after the Hearing Officer has made a decision. If your child is not already in school, the school system must find a program for him. If you agree, your child will be placed in this program until the Hearing Officer makes a decision.

Hearings can be very complicated. There are many rules about how things are done in Hearings. If you are thinking about asking for a Due Process Hearing, or if the school has asked for a Hearing, read pages 35-41 in this booklet very carefully. It is important that you know how to present your case at a Hearing. You will probably want to get someone to help you get ready for a Hearing. The school will give you a list of low-cost or free legal help. Many of the groups or agencies listed in Booklet 4 will also be able to help.

PROBLEM-SOLVING

". . . The first step in solving problems is to make sure that everyone understands the problem . . ."

From time to time you and the school may disagree about what is fair or best for your child. Some problems can be solved quickly. Others will take more time and effort. Because Due Process Hearings are hard for everyone—child, parents, and school—you will want to try other means of solving problems.

The first step in solving problems is to make sure that everyone understands the problem. You will want to be sure you understand what the school is saying to you or asking of you. You will also want to be sure they understand your question, suggestion, or request. Many times talking to the right person will help. Asking for meetings and conferences is the best thing to do when you don't understand something or think the school doesn't understand you. Knowing who to call or talk to is very important.

If the problem has to do with something in the classroom:

- First, talk to your child's teacher
- Then, call the principal of the school and talk to him about the problem
- Next, call the Exceptional Student Education Office in your local School Board Office—ask to talk to the person who works with your child's class or program

If the problem has to do with evaluation or being eligible for programs and services:

- First, talk to the principal of the school, if your child is in school
- Then, contact the person in charge of evaluations and/or Staffings in the local School Board Office
- Next, call the Exceptional Student Education Director in the local School Board Office
- Last, contact the superintendent of the school district

If the problem has to do with the IEP:

- First, talk to your child's teacher and the principal of the school
- Then, ask for an ***IEP Review*** meeting
- Next, contact the Exceptional Student Education Director in the local School Board Office

If the problem has to do with finding an appropriate program for your child:

- First, talk to the Exceptional Student Education Director in the local School Board Office
- Then, contact the superintendent of the school district
- Next, make a request to the School Board in your district

If other kinds of problems come up, find out who has the power to make decisions about that problem. Then talk to that person. Taking a complaint to someone who cannot make decisions is a waste of time for both you and your child.

If conferences and talking to school people do not solve the problem, there are other things you can do before asking for a Due Process Hearing. It usually helps to take these kinds of actions in writing:

- You can request a formal IEP Review meeting—see Sample Letter on page 27 of Booklet 5
- You can request another Staffing meeting
- You can revoke (take back) your consent to your child's evaluation or program—see Sample Letter on page 30 of Booklet 5
- You can request another evaluation or an ***Independent Evaluation***—see Sample Letter on page 29 of Booklet 5

Whenever you ask for any of these things, be sure to give good reasons, and ask the school for a written answer.

Ask for assistance whenever you are not sure what to do next. In Booklet 4 you will find a list of agencies or groups who may be able to give you this help.

STEPS IN PLANNING YOUR EXCEPTIONAL CHILD'S EDUCATION

DUE PROCESS RIGHTS

The Due Process Rights of you, your child, and the school are described in the following pages. Each of the steps is also described in Booklet 1. If you have questions about any of the steps, read Booklet 1 again, or ask someone to help you.

Step 1: REFERRAL

Someone tells the school that your child may have special learning needs.

How can parents participate?

- You may refer your own child.
- You may ask for a conference or meeting about the referral.

Must the school give parents written notice?

- No, but if someone else has referred your child, the school should let you know about it.

Does the school need parents' consent?

- No.

What can parents do if there are problems?

- Talk with your child's teacher or the principal, if your child is in school.
- Contact the Exceptional Student Education Director in your local School Board Office.
- Write a letter. See Sample Letter on page 26 of Booklet 5.

Who can ask for a Due Process Hearing?

- You, if the school does not act on the referral.

Step 2: EVALUATION

A way of collecting information about a student's learning needs, strengths, and interests.

How can parents participate?

- You may be asked to take your child, or go with him for part of the evaluation.
- You can give helpful information to the people who are doing the evaluation.

Must the school give parents written notice?

- Yes, if they plan to do an Individual Evaluation, or if they turn down your request for an evaluation.

Does the school need parents' consent?

- Yes, even if you asked for the evaluation. They will ask you to sign a form or a letter.

What can parents do if there are problems?

- Ask someone at the school to explain what is planned for the evaluation.
- Ask to talk with the people who will do, or have done, parts of the evaluation.
- Discuss the evaluation with someone from your local School Board Office.
- Ask for an Independent Evaluation. See page 25 for explanation.

Who can ask for a Due Process Hearing?

- You, if you are not satisfied with any part of the evaluation.
- You, if the school will not do an evaluation that you asked for.
- The school, if you decide not to give consent for an evaluation.

Step 3: STAFFING

A meeting at which a group of school staff members decide whether a student is exceptional, what kind of exceptionality he has, and whether he is eligible for Exceptional Student Education.

How can parents participate?

- The school does not have to invite you to the Staffing meeting unless the IEP will also be written at this meeting. See Step 4.

Must the school give parents written notice?

- Yes, they must tell you what decisions were made at the Staffing meeting, and why.

Does the school need parents' consent?

- The school does not need your consent to hold a Staffing meeting. However, they cannot begin special programs or services without your signed consent, unless they ask for a Due Process Hearing, and the Hearing Officer decides that they are right.

What can parents do if there are problems?

- Ask for another Staffing meeting so that you can ask questions or state your point of view.
- Contact the principal, or the Exceptional Student Education Director in your local School Board Office.
- Ask to visit the class, program, or school that is suggested for your child.
- Ask for an Independent Evaluation. See page 25.

Who can ask for a Due Process Hearing?

- You, if the school says your child is exceptional and you think he is not.
- You, if the school says your child is not eligible for Exceptional Student Education and you feel he is.
- The school, if you decide not to give your consent for special programs or services and the school feels that they are important for your child.

Step 4: THE INDIVIDUAL EDUCATIONAL PROGRAM—IEP

A written plan which describes an exceptional student's special, individual learning needs, and the exceptional student education programs and services which will be given to him.

How can parents participate?

- You will want to go to the meeting(s) and help write the IEP.
- If you can't get to a meeting, you can sometimes work with the school through telephone calls, or meetings at another place.
- Ask the school to give you a copy of the IEP.

Must the school give parents written notice?

- The school must give you notice of, and ask you to go to, all IEP meetings. The notice is usually in writing but may be given by telephone or in person.

Does the school need parents' consent?

- Not really. If you choose not to attend the meeting, the school may go ahead without you. However, the IEP is not really finished until both you and the school agree that it is right for your child. Remember, the special programs or services cannot actually begin until you give your signed consent or a Hearing Officer decides that it is best for your child.

What can parents do if there are problems?

- Ask for another IEP meeting.
- Ask for changes in the IEP. See Sample Letter on page 27 of Booklet 5.
- Ask someone from outside the school to help you at the IEP meeting.
- Contact the Exceptional Student Education Director in your local School Board Office.

Who can ask for a Due Process Hearing?

- You or the school, if you cannot agree on what should be in the IEP.

Step 5: THE PROGRAM STARTS

Beginning all Exceptional Student Education and Related Services.

How can parents participate?

- Visit the school and class—call first.
- Keep in touch with the teacher(s).
- Help your child at home—ask the teacher(s) how you can do this.
- Let the school know what your child is doing at home.

Must the school give parents written notice?

- No.

Does the school need parents' consent?

- You have already given your consent. See Step 3. However, you can change your mind at any time. You can revoke (take back) your consent. See Sample Letter on page 30 of Booklet 5.

What can parents do if there are problems?

- Talk to the teacher first, and then to the principal.
- Find out what you can do to help your child at home.
- Visit the classroom—call first.
- Read the IEP again to see if it is being carried out the way it was written.
- Ask for a meeting to review the IEP. See Step 6.
- Contact the Exceptional Student Education Director in your local School Board Office.

Who can ask for a Due Process Hearing?

- You, if you have good reason to believe that your child is not getting what was written in the IEP.
- You, if you believe your child should be getting more, or different, services than those already in the IEP.

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STEPS IN CONTINUING YOUR EXCEPTIONAL CHILD'S EDUCATION

DUE PROCESS RIGHTS

After an exceptional student is placed in special programs and services for the first time, there are several more things that will happen. You, your child, and the school continue to have Due Process rights. These rights are described in the following pages. If you have questions about any of the steps, go back to Booklet 1, or ask someone to help you. See Booklet 4.

Step 6: IEP REVIEW

A meeting held at least once a year to look at, study and talk about an exceptional student's IEP.

How can parents participate?

- You will want to go to the meeting(s) and help to decide about changes in your child's IEP.
- You may ask for an IEP Review at any time you think changes are needed.

Must the school give parents written notice?

- The school must give you notice of, and ask you to go to, all IEP Review meetings. The notice is usually in writing, but may be given by telephone or in person.

Does the school need parents' consent?

- No.

What can parents do if there are problems?

- Ask for another meeting.
- Talk with the principal or the Exceptional Student Education Director in your local School Board Office.
- Write a letter that explains what changes you want in the IEP. See Sample Letter on page 27 of Booklet 5.

Who can ask for a Due Process Hearing?

- You, if the school wants to make changes you do not agree with.
- You, if you have asked for changes that the school does not want to make.
- The school, if there are disagreements that cannot be settled in any other way.

Step 7: RE-EVALUATION

Another evaluation which must be done at least every three years if your child is in an Exceptional Student Education program.

How can parents participate?

- You may ask for a re-evaluation whenever you have good reason to think that it is needed.
- You may share information with the people doing the re-evaluation.

Must the school give parents written notice?

- Yes, the school must let you know whenever they plan to do a re-evaluation.

Does the school need parents' consent?

- No.

What can parents do if there are problems?

- Ask someone at the school to explain the purpose of the re-evaluation.
- Ask to talk with the people who will do, or have done, parts of the re-evaluation.
- Discuss the re-evaluation with someone from your local School Board Office.
- Ask for an Independent Evaluation. See page 25 for explanation.

Who can ask for a Due Process Hearing?

- You, if you are not satisfied with the results of the re-evaluation.
- You, if the school chooses not to do a re-evaluation that you have asked for.

Step 8: STAFFING

A meeting held to decide whether an exceptional student is eligible for different programs or services or whether he can be dismissed from certain programs and services.

How can parents participate?

- The school does not have to invite you to the Staffing meeting, unless they will also be reviewing the IEP at this meeting.

Must the school give parents written notice?

- Yes, they must tell you what decisions were made at the Staffing meeting, and why. They must tell you about any changes that will be made in your child's special programs or services.

Does the school need parents' consent?

- No. The school does not need your consent to make minor changes in your child's program after he is in Exceptional Student Education.

What can parents do if there are problems?

- Ask for another Staffing meeting so that you may ask questions or state your point of view.
- Contact the principal or the Exceptional Student Education Director in your School Board Office.
- Write a letter that explains why you don't agree with the decisions.

Who can ask for a Due Process Hearing?

- You, if you do not agree with changes the school plans to make in your child's programs or services.

INDEPENDENT EVALUATION

An Independent Evaluation is an evaluation done by a person outside the school—someone who does not work for the school system. Parents may ask for an Independent Evaluation at any time they have good reason to believe that the school's evaluation of their child is:

- Not complete
- Not correct
- Not fair

When parents ask for an Independent Evaluation, they are really asking for a "second opinion."

An Independent Evaluation may cost a lot of money. The school will pay for it when:

- They agree that their own evaluation is incomplete, incorrect, or unfair in some way

or when:

- A Hearing Officer decides, as the result of a Due Process Hearing, that the school's evaluation is incomplete, incorrect, or unfair

Parents will pay for an Independent Evaluation when:

- They choose to pay for it themselves

or when:

- A Hearing Officer decides, as the result of a Due Process Hearing, that the school's evaluation is complete, correct, and fair

It is very important that you know who will pay for the Independent Evaluation before it is actually done. If you and the school cannot agree on who will pay, there may be a need for a Due Process Hearing.

No matter who pays for it, the person who does the Independent Evaluation must be chosen carefully. He must be fully trained and qualified. For example, if you ask for an Independent Speech and Language Evaluation, the person who actually does the evaluation must meet all of Florida's certification requirements in the area of speech and language. If the person you choose is not fully certified, the results of the Independent Evaluation cannot be used to make educational decisions. The school will give you a list of outside persons who are qualified to do Independent Evaluations. Many times the school will help you to set up the evaluation.

Since getting an Independent Evaluation may cost a lot of time and money, you will want to:

- Study the school's evaluation very carefully
- Be able to explain exactly why you believe the school's evaluation is incorrect, incomplete, or unfair
- Ask people at the school to talk with you about their evaluation—sometimes they can clear up problems or questions you may have
- Ask your local school system to do another evaluation or to add to what they have already done
- Talk with the Exceptional Student Education Director in your local School Board Office

PARENTS' RECORD—INDEPENDENT EVALUATION

Reasons for getting an Independent Evaluation: ______________________

____

____

____

Date of letter asking for Independent Evaluation: ______________________

Did you keep a copy in your file? ☐ Yes ☐ No

Date of school's answer: ______________________

Decision: ______________________

Reason: ______________________

Did you keep a copy in your file? ☐ Yes ☐ No

Was a Due Process Hearing needed? ☐ Yes ☐ No

If yes:

Name of Hearing Officer: ______________________

Date of Hearing: ______________________

Place: ______________________

Decision: ______________________

____

____

Keep copies of all evaluation reports in your file.

(first of two pages)

Was the Independent Evaluation done? ☐ Yes ☐ No

If no, why not? ______________________________

____

____

____

____

____

If yes, date: ______________________________

Person(s) who did the Independent Evaluation:

Name ____________________ Title ____________________

Name ____________________ Title ____________________

Name ____________________ Title ____________________

Name ____________________ Title ____________________

Name ____________________ Title ____________________

Who paid for the Independent Evaluation? ______________________________

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(second of two pages)

Keep copies of all evaluation reports in your file.

If you and the school cannot agree about the evaluation, and you decide to ask for an Independent Evaluation, you should do several things:

- First, call the Exceptional Student Education Director and let him know about your decision
- Next, ask for the Independent Evaluation in writing—some school systems have a form you can use—if not, write a letter, like the Sample Letter on page 29 of Booklet 5
- Then, wait for a letter from the school system which tells you what they have decided—do not have the Independent Evaluation done until you hear from the school
- Finally, keep in mind that you or the school may choose to ask for a Due Process Hearing to decide who will pay for the Independent Evaluation

No matter who pays for the Independent Evaluation, the results will become part of the school record for your child. These results will be used to help make decisions and plans for your child's education.

SCHOOL RECORDS

Schools may keep many written records about exceptional students. These records contain a lot of personal, private information about your child. The laws and rules give parents and students many rights and "protections" related to school records.

The Right To See Your Child's Records

You, as a parent, have the right to see and read any record the school keeps on your child. You may also have someone else—a friend, relative, or advisor—look at the records if you want. Along with this right:

- The school must tell you what records they have on your child, and where they are kept
- The school must show you the records within 30 days of the time you ask to see them
- The school cannot destroy any records you ask to see before you see them
- You may ask to have a copy of any record kept by the school—there can be a small charge for the copy
- Someone from the school will explain what is in the records and anything you don't understand

The Right To Have School Records Kept Confidential

Any school records that have your child's name, birthdate, address, social security number, or your name on them, must be kept ***confidential***. This means that they can be read or used only by school staff members who have a good reason for seeing them. School records about your child cannot be shown or sent to people outside the school without your written consent. If someone outside the school needs to see your child's school records, you will be asked to sign a form or letter saying that you agree. This form will tell you:

- Who is to get the school records
- Which school records they will get
- Why they need the school records

Before signing the form, or deciding not to give your consent, you may want to ask:

- To see the records yourself
- To talk to the person who wants the records
- To discuss the records with someone at the school
- Whether records will be shown to the person, or whether copies will be sent for him to keep

The Right To Ask That School Records Be Changed or Destroyed

Sometimes you may see things in the school records that you feel are unfair to your child. If this happens, you can ask that records be changed or destroyed. You can ask to have something:

- Added to the record
- Taken out of the record
- Changed or rewritten in the record

Before you ask the school to do any of these things, you should be able to tell why you think there is a problem with the record. You should ask for any of these actions in writing. See Sample Letter on page 31 of Booklet 5. The school will either do what you have asked, or send you a letter to tell you why they do not want to make the changes.

After your child is no longer in any kind of Exceptional Student Education program, the school must destroy most of their records about his exceptionality and special program(s), if you ask for this. You should think carefully before asking that school records be destroyed. Sometimes they will be needed to get other kinds of help, like Social Security benefits, for your exceptional child.

The Right To Have a Hearing About School Records

Both you and the school have the right to ask for an informal hearing if you cannot agree about your child's school records. This is not a Due Process Hearing. Before asking for this kind of hearing, you should:

- Be sure that you fully understand what the records say—ask someone at the school or outside the school to go over the records with you
- Talk to the school principal about the problem—make sure the school understands what you want and why
- Discuss the problem with the Exceptional Student Education Director in your local School Board Office
- Write a letter about what you want—ask for a written answer

If the problem still is not solved to your satisfaction, either you or the school may want to ask for an informal hearing. A hearing might be needed if:

- The school does not show you your child's records within 30 days of the time you asked to see them
- You have good reason to think they did not show you all the records kept on your child
- You believe that your child's records have been used in a way that is not fair to him—for example, his records have been shown to someone who doesn't work with him
- The records have not been kept confidential
- The school decides not to make changes that you have asked for

No matter what is decided at the hearing, you may put a note or letter in your child's school record to explain your point of view.

PARENTS' RECORD—SCHOOL RECORDS

Kinds of records kept by the school:

Kind	Place Kept

Did you read the records? ☐ Yes ☐ No If yes, please supply this information:

Date	Kind	Place Kept

Did someone explain the records to you? ☐ Yes ☐ No If yes, please supply this information:

Name	Title	Date

(first of two pages)

Records have been sent outside the school: ☐ Yes ☐ No If yes, please supply this information:

Records Sent to (Name)	Date	Your Consent Given?
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No

Have you asked the school to make changes in your child's records? ☐ Yes ☐ No

If yes, please supply this information:

Request	Date	School's Answer

Did you ask for copies of records? ☐ Yes ☐ No If yes, please supply this information:

Kind	Date	Was There a Charge?
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No

(second of two pages)

DUE PROCESS HEARING

The right to a Due Process Hearing is given to parents and schools as a way of helping them to solve problems or differences of opinion. See page 11. The Hearing Officer makes decisions based on the laws and rules, and what seems best for the child.

The Due Process Hearing is not a trial or court. The Hearing Officer is not a judge. However, like in a court:

- You have the right to have a lawyer or other person to help you
- The school may have a lawyer
- You and the school may have ***witnesses*** to help explain things to the Hearing Officer
- You and the school may have ***evidence*** or written records to show to the Hearing Officer

It can take a lot of time and work to hold a Hearing. It can be very hard to follow all the rules about Hearings. A Hearing should only be held when there is no other way for you and the school to agree.

It may take up to 45 days from the time you ask for a Hearing to get a decision. During this time, your child will stay in his present class or program, if he is in school. If your child is not in school, the local school district must offer him a program until the Hearing Officer makes a decision. While you are waiting for the Hearing, you can continue to try to work things out in other ways. You can use some of the ideas for **"Problem-Solving"** on page 13 to help you work with the school. Sometimes disagreements can be settled before the Hearing.

Before the Hearing

If you ask for a Hearing, you will want to do so in writing. See Sample Letter on page 32 of Booklet 5. Always call the Exceptional Student Education Director in your local School Board Office before you write the letter. Let him know what you plan to do. Sometimes there will be a form for you to fill out. If the school is asking for the Hearing, they will send you a written notice. In either case, there are many things you will need to do to get ready for the Hearing.

Decide about getting help

Because Hearings can be complicated and difficult, you may want to ask someone to help you get ready, or to be at the Hearing with you. There are many places to get help:

- The school will give you a list of places to get free or low-cost legal services—ask for this list
- Many of the groups or agencies listed in Booklet 4 will help you to get ready for a Hearing—sometimes people from these groups are called "Advocates"
- Check with a local college or university—sometimes a teacher or professor in the Special Education Department will be able to help you

You do not have to have a lawyer or other advisor, but many times it will be helpful.

Check time, place, and other such details

The time and place for the Hearing must be set so that you and your child can be there. You will decide whether your child should be at the Hearing. You will also be asked to decide whether the Hearing should be open or closed to the public.

Collect evidence

At the Hearing, you will be trying to prove to the Hearing Officer that you are right. The school will be trying to show that it is right. You will need evidence to show to the Hearing Officer.

Evidence is any kind of record or material which helps to explain your point of view. It can include:

- Reports
- Records
- Letters
- Notes
- Samples of your child's work
- Pictures
- Tape recordings

The evidence can come from your "Parents' Record" file, from the school, or from a place outside the school such as a hospital or day care center. You must show all of your evidence to the school at least five days before the Hearing. If you do not do this, you cannot show the evidence to the Hearing Officer. The school must show you their evidence five days before the Hearing. If they do not do this, they cannot use their evidence at the Hearing.

Get witnesses

You will want to have other people to help you explain your point of view to the Hearing Officer. Witnesses can be:

- Friends or relatives
- People from the school
- Someone outside the school who has worked with your child
- An expert—someone with special training in Exceptional Student Education

There are several rules about witnesses that you will want to remember:

- If someone you want as a witness does not wish to be a witness, the Hearing Officer can make that person come to the Hearing
- You should have a witness to talk about each piece of evidence you plan to use—for example, if you use an evaluation report as evidence, the person who wrote the report should be a witness at the Hearing
- You and the school must give each other a list of your witnesses at least five days before the Hearing

During the Hearing

The Hearing Officer will run the Hearing. There are several ways to do this. Each Hearing Officer will do what he thinks is best. However, there are some things that will happen in every Hearing:

- You and the school will be asked to tell the Hearing Officer exactly what the problem is and what you want to happen
- You will explain your side, ask your witnesses questions, and show your evidence
- The school will explain its side, ask questions of its witnesses, and show its evidence
- You ask questions of the school's witnesses—the school asks questions of your witnesses
- The Hearing Officer may ask questions of anybody and look at the evidence
- You and the school will have another chance to explain your point of view

If you think that anything about the Hearing is unfair, you should tell the Hearing Officer right away.

PARENTS' RECORD—DUE PROCESS HEARING

☐ Parent asked for the Due Process Hearing ☐ School asked for the Due Process Hearing

Reason for Hearing: ______________________________

____

____

Date of letter asking for Hearing: ______________ Did you keep a copy in your file? ☐ Yes ☐ No

Things that were done to try to solve the problem before Hearing: ______________________________

____

____

____

Name of Hearing Officer: ______________________________

Date of Hearing: ______________________________

Place: ______________________________

Name of lawyer or person helping you: ______________________________

Parent's Witnesses	School's Witnesses

Keep a copy of the Hearing Officer's written decision in your file.

(first of two pages)

Parent's Evidence	School's Evidence

Hearing Officer's decision: ______________________________

Did you appeal the decision? ☐ Yes ☐ No Did the school appeal the decision? ☐ Yes ☐ No

Date: ______________________________

To whom: ______________________________

(second of two pages)

Keep a copy of the Hearing Officer's written decision in your file.

After the Hearing

The Hearing Officer will not make the decision during the Hearing. You and the school will have to wait to get a written decision. The decision should come to you no later than 45 days after you first asked for the Hearing. The Hearing Officer's written report will:

- List the facts—things he found to be true
- State the decisions he has made to solve the problem
- Give the reasons for his decisions—the laws or rules that he used

Both you and the school will get copies of this report. You have the right to have a copy of the tape recorded or written record made of the Hearing.

If you do not agree with the Hearing Officer's decision, or if you feel the Hearing was unfair, you may ask the State Commissioner of Education to review the Hearing record. This is called an ***appeal***. If you appeal to the Commissioner, you must write a letter within 10 days of the time you get a copy of the Hearing Officer's decision. The Commissioner can agree with the Hearing Officer or change the decision. He may also ask you or the school to give him more information. The Commissioner will write his decision and send copies to you and the school. The school may also appeal the Hearing Officer's decision.

If you do not agree with the Commissioner, you have the right to go to court. Before doing this, you should think about getting legal help.

FINAL COMMENT

This booklet has described a lot of the rights of you and your exceptional child. Some of them are difficult to understand. The school should explain all of these rights to you as they work with your child—in letters, notices, or conferences. Don't be afraid to ask questions about your rights. You may want to ask someone at the school to talk with you about the information in this booklet.

PARENTS' DICTIONARY

Appeal—A written request for the Commissioner of Education or a court to change the decision of a Hearing Officer.

Confidential—School records about an exceptional student are read or used only by school staff members who need them to work with that student, or by other persons who have a parent's written consent to read or use the school records.

Consent—Parents show that they agree to let the school take an action which affects their child's education. Consent is usually shown by the parent signing his/her name on a form or letter which describes the action the school wants to take.

Due Process—A set of rights having to do with how decisions are made. These rights help to make sure that exceptional students and their parents are treated fairly.

Due Process Hearing—A meeting held to settle disagreements between parents and schools in a way that is fair to the student, his parents, and the school. The meeting is run by an impartial Hearing Officer.

Eligible—A decision made by a Staffing group. It says that a student is exceptional and in need of Exceptional Student Education programs and services. The decision is based on state and local school board rules.

Evaluation—A way of collecting information about a student's special learning needs, strengths, and interests. It is used to help make decisions about whether a student is exceptional and eligible for Exceptional Student Education programs and services. It may include giving individual tests, observing the child, looking at records, and talking with the student and/or his parents.

Evidence—Pieces of material—records, letters, notes, or work samples—which are used by parents or schools in a Due Process Hearing to help show that their point of view is the right one.

Exceptional Student—A student who has special learning needs as described in state and local school board rules. This includes students who have a handicap, a disability, or an impairment, as well as those who are gifted. Children do not have to be in school to be "exceptional students."

PARENTS' DICTIONARY

Exceptional Student Education (ESE)—The name given in Florida to educational programs and services for students with special learning needs. It is sometimes called "special education."

Free Appropriate Public Education—The words used in the federal law, P.L. 94-142, to describe an exceptional student's right to a special education which will meet his individual special learning needs, at no cost to his parents.

Hearing Officer—The person who is in charge of a Due Process Hearing and who makes the decisions after a Hearing. The Hearing Officer cannot work for the local school system. He cannot know the student or be a friend or relative of the family. He is a person who is impartial—fair to both sides, parents and school.

IEP Review—A meeting held at least once a year to look at, study, and talk about an exceptional student's IEP. The purpose of the IEP Review is to make decisions about changes in the IEP.

Impartial—Fair. An impartial person is one who is not biased or prejudiced toward one side or another.

Independent Evaluation—An evaluation asked for by a student's parents, and done by someone outside the school—not a school staff member. The person(s) doing the evaluation must be fully trained and qualified to do the kind of evaluation being asked for.

Individual Educational Program—IEP—A written plan which describes an exceptional student's special individual learning needs and the Exceptional Student Education programs and services which will be given to that student.

Notice—A way of telling parents about an action the school plans to take that will affect their child's education.

Participation—The act of sharing, joining, or working with others to make decisions, complete a task, or write an IEP.

Staffing—A meeting at which a group of school staff members decide whether or not a student is exceptional, what kind of exceptionality he has, and whether or not he is eligible for Exceptional Student Education programs and services. Sometimes parents may be asked to be at this meeting.

Witnesses—Persons who can make statements in a Due Process Hearing that will help to prove to the Hearing Officer that a parent's or a school's point of view is the correct one.

For Parents of Exceptional Students . . . An Information Series:

Resources and References

Booklet 4

For Parents of Exceptional Students . . . An Information Series:

Resources and References

Booklet 4

State of Florida
Department of Education
Ralph D. Turlington, Commissioner
Tallahassee, Florida
Division of Public Schools
Bureau of Education for Exceptional Students
1982

This series was developed by the Florida Department of Education in cooperation with the South Atlantic Regional Resource Center. Among those who have made significant contributions are:

Parents of
Exceptional Students

The Task Force for Parent
Information/Education

Staff Members of the
Bureau of Education
for Exceptional Students

Staff Members from Florida's
Local School Districts

The Florida Diagnostic and
Learning Resources System

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INTRODUCTION

**". . . We hope that the information
in this series of booklets
will help you to help your child . . ."**

The material in this booklet has been prepared to help parents of exceptional children in Florida's school districts to better understand Exceptional Student Education. The word "parents" includes anyone who has major responsibility for the care and well-being of a child. If you are a person who has such responsibility—parent, grandparent, surrogate parent, foster parent—and you think your child has special learning needs, you may find this booklet helpful.

You will find that the information in this booklet adds to, or helps to explain, Booklets 1, 2, and 3 in this information series. The booklet is divided into four sections:

- **"The Parents' Dictionary"**—meanings for some of the words used by schools to describe your child and his education, and **all** the color-underlined words in this series of booklets.
- **"Reading Materials for Parents"**—a list of other written materials that may be of help to you.
- **"Excerpts from Laws and Rules"**—a copy of some of the more important parts of the laws and rules about Exceptional Student Education.
- **"Where To Go for Help"**—a list of some groups or agencies which may be of help in answering questions or giving you more information.

You will probably want to use this booklet along with the others in the series:

Booklet 1, EDUCATING FLORIDA'S EXCEPTIONAL STUDENTS, will answer questions such as:

- Will the school work with my child?
- Where can I find a good program for him?
- Is my child too young or too old for a special program?
- Is this going to cost me a lot of money?
- What can I do to help?

Booklet 2, THE INDIVIDUAL EDUCATIONAL PROGRAM—IEP, will answer questions such as:

- What is an IEP?
- How will an IEP help my child?
- When and how is an IEP written?
- What are the parts of an IEP?
- Who writes the IEP?
- How can I help to write the IEP?

Booklet 3, RIGHTS AND RESPONSIBILITIES, will answer questions such as:

- What is Due Process?
- What are my Due Process rights?
- How can I best use my rights to Due Process?
- What are my rights to participate, have notice, give consent, and have a Due Process Hearing?
- How can I work with the school to solve the problems?

Booklet 5, PARENTS' EDUCATIONAL RECORDS (the last booklet in this series) contains copies of all the "Parents' Record" pages from Booklets 1, 2, and 3. You can use these pages to write down important information about your child and his education. You will also find "Sample Letters" which give ideas on how to ask the school to do certain things.

We hope that the information in this series of booklets will help you to help your child. As you read and use the booklets, you may find parts that are not clear. There are many people who can help. The people at your child's school or in your local School Board Office will be happy to work with you.

PARENTS' DICTIONARY

On the next several pages you will find definitions for a number of words often used by people who work with exceptional children. Each of these words is also explained and used in Booklets 1, 2, or 3.

The definitions are simplified for easier understanding and use in this series. Different school districts and educators may use these words in somewhat different ways. You should always feel free to ask for definitions of words being used to describe your child or his Exceptional Student Education.

Academic—Having to do with subjects such as reading, writing, math, social studies, and science.

Accommodation—Learning to do things differently from other students because of a handicap, impairment, or disability. An example of "accommodation" is the visually impaired student who reads by listening to a recording of a textbook.

Annual Goal—A statement in an IEP of what an exceptional student needs to learn and should be able to learn in his special program over the time period of a year.

Appeal—A written request for the Commissioner of Education or a court to change the decision of a Hearing Officer.

Assessment—A way of collecting information about a student's special learning needs, strengths, and interests. An assessment may include giving individual tests, observing the student, looking at records, and talking with the student and/or his parents. See also "Evaluation."

Autistic—A word which describes a kind of emotional handicap or exceptionality. The autistic student may seem to act, talk, think or behave very differently from other students his age. He may not like to be close to people. In order to be eligible for "autistic" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules*.

Confidential—School records about an exceptional student are read or used only by school staff members who need them to work with that student, or by other persons who have a parent's written consent to read or use the school records.

Consent—Parents show that they agree to let the school take an action which affects their child's education. Consent is usually shown by the parent signing his/her name on a form or letter which describes the action the school wants to take.

Deaf/Blind—A kind of handicap or exceptionality. A deaf/blind student has such severe problems with both seeing and hearing that he cannot learn well in either a program for the deaf or a program for the blind. In order to be eligible for "deaf/blind" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules*.

Disability—A problem or condition which makes it hard for a student to learn or do things in the same ways as most other students. A disability may be short-term or permanent. See also "Handicap" and "Impairment."

Dismissal—A decision made by a Staffing group. It says that a child no longer needs a certain Exceptional Student Education program or service.

Due Process—A set of rights having to do with how decisions are made. These rights help to make sure that exceptional students and their parents are treated fairly.

Due Process Hearing—A meeting held to settle disagreements between parents and schools in a way that is fair to the student, his parents, and the school. The meeting is run by an impartial Hearing Officer.

Duration—The length of time an exceptional student will need to have an Exceptional Student Education program or service.

Eligible—A decision made by a Staffing group. It says that a student is exceptional and in need of Exceptional Student Education programs and services. The decision is based on state and local school board rules.

Emotionally Handicapped—A kind of exceptionality. An emotionally handicapped student may seem to act differently, think differently, or have different feelings than most other students his age. This includes students who are "severely emotionally disturbed." In order to be eligible for "emotionally handicapped" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

Emotional Maturity—The student's ability to act, think, and feel in ways very much like most other students his age.

Evaluation—A way of collecting information about a student's special learning needs, strengths, and interests. It is used to help make decisions about whether a student is exceptional and eligible for Exceptional Student Education programs and services. It may include giving individual tests, observing the child, looking at records, and talking with the student and/or his parents.

Evaluation Criteria and Procedures—A set of statements in an IEP which describe what a student will have to do—how much, how often, and in what ways—to show mastery of the "Short-term Instructional Objectives."

Evidence—Pieces of written material—records, letters, notes, or work samples—which are used by parents or schools in a Due Process Hearing to help show that their point of view is the right one.

Exceptional Student—A student who has special learning needs as described in state and local school board rules. This includes students who have a handicap, a disability, or an impairment, as well as those who are gifted. Children do not have to be in school to be "exceptional students."

Exceptional Student Education (ESE)—The name given in Florida to educational programs and services for students with special learning needs. It is sometimes called "special education."

Free Appropriate Public Education—The words used in the federal law, P.L. 94-142, to describe an exceptional student's right to a special education which will meet his individual special learning needs, at no cost to his parents.

Gifted—A kind of exceptionality. The gifted student is one who is very, very bright or smart and who learns things much more quickly than other students his age. In order to be eligible for "gifted" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

Handicap—A problem or condition which makes it hard for a student to learn or do things in the same ways as most other students. A handicap may be short-term or permanent. See also "Disability" and "Impairment."

Hearing Impaired—A kind of handicap or exceptionality. The hearing impaired student is one who has a loss of some or most of his ability to hear. This includes students who are deaf or hard-of-hearing. In order to be eligible for "hearing impaired" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

Hearing Officer—The person who is in charge of a Due Process Hearing and who makes the decisions after a Hearing. The Hearing Officer cannot work for the local school system. He cannot know the student or be a friend or relative of the family. He is a person who is impartial—fair to both sides, parents and school.

Homebound/Hospitalized—A kind of Exceptional Student Education for a student who must stay at home or in a hospital for a period of time because of a severe illness, injury, or health problem. In order to be eligible for "homebound/ hospitalized" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

IEP Review—A meeting held at least once a year to look at, study, and talk about an exceptional student's IEP. The purpose of the IEP Review is to make decisions about changes in the IEP.

Impairment—A problem or condition which makes it hard for a student to learn or do things in the same ways as most other students. An impairment may be short-term or permanent. See also "Disability" and "Handicap."

Impartial—Fair. An impartial person is one who is not biased or prejudiced toward one side or another.

Independent Evaluation—An evaluation asked for by a student's parents, and done by someone outside the school—not a school staff member. The person(s) doing the evaluation must be fully trained and qualified to do the kind of evaluation being asked for.

Individual Educational Program—IEP—A written plan which describes an exceptional student's special individual learning needs and the Exceptional Student Education programs and services which will be given to that student.

Initiation Date—The date, month, and year on which a program or service will begin for an exceptional student.

Least Restrictive Environment—The educational setting or program which helps the exceptional student to work and learn to the best of his ability, and which allows him to spend as much time as possible, anywhere from all to none, in a regular program.

Master—To reach a goal or meet an objective as measured by the "Evaluation Criteria and Procedures."

Mentally Handicapped—A kind of handicap or exceptionality. The mentally handicapped student is one who may not be able to learn as quickly or as much as most other students his age. This includes students who are "educable," "trainable," or "profound." In order to be eligible for "mentally handicapped" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

Motor—Use of the large and small muscles to move different parts of the body. Examples of motor skills are walking, holding and moving a pencil, or opening a door.

Mutually Agreeable—The parents and the school both agree on an issue—a time, date, and place for a meeting, for example.

Notice—A way of telling parents about an action the school plans to take that will affect their child's education.

Occupational Therapy—Treatment for an exceptional student which helps him to develop mental or physical well-being in areas of daily living such as self-care and pre-vocational skills, etc. This treatment is given by a trained Occupational Therapist. In order to be eligible for "occupational therapy" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

Participation—The act of sharing, joining, or working with others to make decisions, complete a task, or write an IEP.

Physically Impaired—A kind of exceptionality. The physically impaired student is one who has a severe illness, condition, or disability which makes it hard for him to learn in the same ways as other students his age. In order to be eligible for "physically impaired" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

Physical—Having to do with the use or well-being or the body. An example of a physical skill is being able to sit in a chair with good balance and posture.

Physical Therapy—Treatment for an exceptional student which helps to maintain or improve his use of bones, joints, muscles, and nerves. This treatment is given by a trained Physical Therapist. In order to be eligible for "physical therapy" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules*.

Pre-Academic—Having to do with skills a student needs to master before he is ready to learn academic subjects, such as reading and math. Examples of pre-academic skills are knowing colors and holding a crayon or pencil correctly.

Present Levels of Performance—Statements in an IEP that describe what a student can do or what he knows now.

Pre-Vocational—Having to do with skills a student needs to master before he is ready to learn vocational or trade skills. Examples of pre-vocational skills are telling time, using a ruler to measure, and following directions.

Profoundly Handicapped—An Exceptional Student Education program or kind of class for students who have very severe handicaps. Students who are "severely emotionally disturbed," "autistic," "profoundly mentally handicapped," or "deaf/blind" may be in this kind of program or class.

Re-Evaluation—To evaluate again. An exceptional student must be re-evaluated every three years. See "Evaluation."

Referral—The act of telling a school or agency that a student may have special learning needs. A referral can be made by a parent, a teacher, a doctor, or any person who has worked with the student. Children do not have to be in school to be referred.

Related Services—Special help given to an exceptional student in addition to classroom teaching or instruction. "Related Services" are given so that a student can benefit from his teaching or instruction. Examples of "Related Services" are transportation, social services, job placement, and readers for the blind.

Screening—A way of looking at or testing a group of students to find out if any of them need to be referred for individual evaluation.

Self-Help—Having to do with skills that allow a student to do things for himself. Examples of self-help skills are a student being able to feed himself, dress himself, or cross the street without help.

Sensory—Having to do with the use of the senses of hearing, seeing, touching (feeling), smelling, or tasting as a part of learning. An example of a sensory skill is being able to see the differences between letters of the alphabet.

Short-Term Instructional Objectives—Statements in an IEP which describe small steps a student must learn or master before he can reach the "Annual Goals" set for him.

Social—Having to do with a student's abilities to get along with other people—family, adults, or other children. An example of a social skill is a student being able to play well with other children his age.

Specific Learning Disabled—A kind of handicap or exceptionality. The student with a specific learning disability is one who seems to have average or better ability, health, vision, hearing, and intelligence, but is still unable to learn things as easily or quickly as most other students his age. In order to be eligible for "specific learning disabled" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

Speech and Language—Having to do with a student's ability to speak (talk), write, listen, or read. This includes understanding others and making himself understood. An example of a speech and language skill is being able to put words together into a good sentence.

Speech and Language Impaired—A kind of handicap or exceptionality. The speech or language impaired student is one who has problems in talking so that he can be understood, sharing ideas, expressing needs, or understanding what others are saying. In order to be eligible for "speech and language" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

Staffing—A meeting at which a group of school staff members decide whether or not a student is exceptional, what kind of exceptionality he has, and whether or not he is eligible for Exceptional Student Education programs and services. Sometimes parents may be asked to be at this meeting.

Visually Impaired—A kind of handicap or exceptionality. The visually impaired student is one who has a loss of some or all of his ability to see. This includes students who are blind or partially sighted. In order to be eligible for "visually impaired" programs and services, a student must meet all the requirements listed in the Florida *State Board of Education Rules.*

Vocational—Having to do with skills that will allow a student to be successful in a job or trade. Examples of vocational skills are typing and carpentry.

Witnesses—Persons who can make statements in a Due Process Hearing that will help to prove to the Hearing Officer that a parent's or a school's point of view is the correct one.

READING MATERIALS FOR PARENTS

In this section you will find a list of a few of the reading materials which may help you to better understand your child and his Exceptional Student Education. Some of these materials are free. Many can be found in public libraries or the Clearinghouse/Information Center. See page 15 under **Collections**.

Space has been left at the end of this listing for you to add other items which you have found to be interesting or helpful.

BOOKS, NEWSLETTERS, ETC.

Due Process and the Exceptional Child: A Guide for Parents, available from: Education Law Center, Harrison, Pennsylvania.

Education for All: A Training Module for Parents and Advocates of Handicapped Children, available from: Florida Governor's Commission on Advocacy for Persons with Developmental Disabilities, Office of the Governor, The Capitol, Tallahassee, Florida 32301.

Education Handbook for Parents of Handicapped Children (1980), Stanley T. Mopsick and Judith Agard, eds. Abt Books, Cambridge, Massachusetts.

The Exceptional Parent (Magazine for Parents): To subscribe, write to 296 Boyleston Street, Boston, Massachusetts—$14 per year.

A Handicapped Child in the Family: A Guide for Parents (1972), Verda Heisler, Grune and Straton, New York, New York.

If Your Child Is Handicapped (1969), W. C. Kvoraceus and E. N. Hayes. Porter Sargent Publishers, Boston, Massachusetts.

Network News (The Paper for Parents), available from: The National Committee for Citizens in Education, 410 Wilde Lake Village Green, Columbia, Maryland 21044.

94-142 and 504: Numbers That Add Up to Educational Rights for Handicapped Children—A Guide for Parents and Advocates, available from: Children's Defense Fund, 1520 New Hampshire Avenue, N.W., Washington, D.C. 20036.

Resource Manuals for the Development and Evaluation of Special Programs for Exceptional Students, available from: Clearinghouse/Information Center. See page 15 under **Collections**.

The Rights of Parents in the Education of Their Children, available from: The National Committee for Citizens in Education, 410 Wilde Lake Village Green, Columbia, Maryland 21044.

Understand Those Feelings—A Guide for Parents and Everyone Who Counsels Them, Stanwix House Publishers, Pittsburgh, Pennsylvania. Also available from: The Exceptional Parent Bookstore, Room 708, Statler Office Building, Boston, Massachusetts 02116.

LAWS AND RULES

Florida Statutes and **State Board of Education Rules**—Pertaining to Exceptional Student Education, available from: Clearinghouse/Information Center. See below, under **Collections**.

District Procedures for Special Programs for Exceptional Students, available for review at Local Exceptional Student Education/School Board Office.

Education for All Handicapped Children Act (1975)—**Public Law 94-142**, available from your U.S. Congressman.

The Family Education Rights and Privacy Act (1971)—also called the "Buckley Amendment," available from your U.S. Congressman.

Regulations for Public Law 94-142, available from: Office of Special Education and Rehabilitation, 400 Maryland Ave., S.W., Washington, D.C. 20202.

Regulations for Public Law 93-112—Section 504, available from: Office of Civil Rights, 330 Independence Ave., S.W., Washington, D.C. 20201.

COLLECTIONS

Clearinghouse/Information Center—"Mini-Catalogs" available on many topics of interest to parents of exceptional students—Florida Department of Education, Division of Public Schools, Bureau of Education for Exceptional Students, Knott Building, Tallahassee, Florida 32301.

Eric Clearinghouse for Handicapped and Gifted Children—"Fact Sheets" and "Spot Bibliographies" available on many topics of interest to parents of exceptional students—Council for Exceptional Children, 1920 Association Drive, Reston, Virginia 22091.

EXCERPTS FROM LAWS AND RULES

The following information is copied directly from **FLORIDA STATUTES**, **STATE BOARD OF EDUCATION RULES**, **PUBLIC LAW 94-142**, or the **REGULATIONS FOR PUBLIC LAW 94-142**. These parts of the laws and rules were chosen because they are the basis for much of the information in Booklets 1, 2, and 3.

What is reprinted here is only a small part of the laws and rules about Exceptional Student Education. You may wish to read other parts. See page 15 for information on how you can get copies of the complete law or set of rules.

PUBLIC LAW 94-142 STATUTES/REGULATIONS

DEFINITION—HANDICAPPED CHILDREN

(Reg.) 121a.5(a)—As used in this part, the term "handicapped children" means those children evaluated in accordance with 121a.530—121a.534 as being mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, orthopedically impaired, other health impaired, deaf-blind, multi-handicapped, or as having specific learning disabilities, who because of those impairments need special education and related services.

FREE APPROPRIATE PUBLIC EDUCATION

(Statute) 601(c)—It is the purpose of this Act to assure that all handicapped children have available to them, within the time periods specified in section 612(2)(B), a free appropriate public education which emphasizes special education and related services designed to meet their unique needs, to assure that the rights of handicapped children and their parents or guardians are protected, to assist States and localities to provide for the education of all handicapped children, and to assess and assure the effectiveness of efforts to educate handicapped children.

FLORIDA STATUTES/STATE BOARD OF EDUCATION RULES

DEFINITION—EXCEPTIONAL STUDENTS

(Statute) 228.041(18) EXCEPTIONAL STUDENTS—The term "exceptional student" means any child or youth who has been certified by a specialist qualified under regulations of the state board to examine students who may be unsuited for enrollment in a regular class of the public schools or is unable to be adequately educated in the public schools without the provision of special classes, instruction, facilities, or related services, or a combination thereof.

FREE APPROPRIATE PUBLIC EDUCATION

(Statute) 228.051—Organization and support of required public schools—The public schools of the state shall provide 13 consecutive years of instruction beginning with kindergarten, and shall also provide such instruction for exceptional children as may be required by law.

(Statute) 230.23(4) Powers and duties of school board. (m) Exceptional students—Provide for an appropriate program of special instruction, facilities, and services for exceptional students as prescribed by the state board as acceptable.

PUBLIC LAW 94-142 STATUTES/REGULATIONS

EVALUATION

(Statute) 612(5)(c)—Procedures to assure that testing and evaluation materials and procedures utilized for the purposes of evaluation and placement of handicapped children will be selected and administered so as not to be racially or culturally discriminatory. Such materials or procedures shall be provided and administered in the child's native language or mode of communication unless it clearly is not feasible to do so, and no single procedure shall be the sole criterion for determining an appropriate educational program for a child.

(Reg) 121a.531—Before any action is taken with respect to the initial placement of a handicapped child in a special education program, a full and individual evaluation of the child's education needs must be conducted in accordance with the requirements of 121a.532.

FLORIDA STATUTES/STATE BOARD OF EDUCATION RULES

(Statute) 232.01(1)(d)2(f)—Consistent with regulations adopted by the state board, exceptional children who will have attained the age of 3 years on or before January 1 of the school year may be eligible for admission to public special education programs and for related services under rules and regulations prescribed by the school board. However, exceptional children who are deaf, blind, severely physically handicapped or trainable mentally retarded below age 5 may be eligible for a home instruction program or if enrolled in other preschool or day care programs, may be eligible for supplemental instruction.

EVALUATION

(Rule) 6A-6.331(1)(a)—The school board shall be responsible for the medical, physical, psychological, social and educational evaluations of students, who are suspected of being exceptional students, by competent evaluation specialists. . . .

(Rule) 6A-6.311(1)(b)—The district's evaluation procedures shall provide for the use of valid tests and evaluation materials by trained personnel, in conformance with instructions provided by the producer of the tests and evaluation materials. For children not proficient in the English language the district's evaluation procedures shall provide for the use of the language or other mode of communication commonly used by the child.

PUBLIC LAW 94-142 STATUTES/REGULATIONS

ELIGIBILITY/PLACEMENT

(Reg) 121a.533(a)—In interpreting evaluation data and in making placement decisions, each public agency shall:

(3) Insure that the placement decision is made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.

(Reg) 121a.552—Placements. Each public agency shall insure that:

(a) Each handicapped child's educational placement:

(1) Is determined at least annually,

(2) Is based on his or her individualized education program,

and

(3) Is as close as possible to the child's home.

RE-EVALUATION

(Reg) 121a.534(b)—Each State and local educational agency shall insure:

(b) That an evaluation of the child, based on procedures which meet the requirements under 121a.532, is conducted every three years or more frequently if conditions warrant or if the child's parent or teacher requests an evaluation.

FLORIDA STATUTES/STATE BOARD OF EDUCATION RULES

ELIGIBILITY/PLACEMENT

(Statute) 230.23(4)(m)(4)—No student shall be given special instruction or services as an exceptional student until after he has been properly evaluated, classified, and placed in the manner prescribed by rules of the state board.

(Rule) 6A-6.331(2)(a)—A staffing committee utilizing the process of reviewing diagnostic, evaluation, educational or social data shall recommend student eligibility for special programs and shall recommend the student's educational placement.

RE-EVALUATION

(Rule) 6A-6.331(1)(c)—The district shall provide a re-evaluation of each exceptional student at least every three years, or more frequently if conditions warrant.

PUBLIC LAW 94-142 STATUTES/REGULATIONS

LEAST RESTRICTIVE ENVIRONMENT

(Reg) 121a.550(b)—Each public agency shall insure:

(1) That to the maximum extent appropriate handicapped children, including children in public or private institutions or other care facilities are educated with children who are not handicapped

and

(2) That special classes, separate schooling or other removal of handicapped children from the regular educational environment occurs only when the nature or severity of the handicap is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

KINDS OF EXCEPTIONAL STUDENT EDUCATION PROGRAMS

(Statute) 602(16)—The term "special education" means specifically designed instruction at no cost to parents or guardians, to meet the unique needs of a handicapped child, including classroom instruction, instruction in physical education, home instruction, and instruction in hospitals and institutions.

(Reg) 121a.551(a)—Each public agency shall insure that a continuum of alternative placements is available to meet the needs of handicapped children for special education and related services.

(b) The continuum required under paragraph (a) of this section must:

FLORIDA STATUTES/STATE BOARD OF EDUCATION RULES

LEAST RESTRICTIVE ENVIRONMENT

(Statute) 230.23(4)(m)5—In providing for the education of exceptional students, the superintendent, principals, and teachers shall utilize the regular school facilities and adapt them to the needs of exceptional students whenever this is possible. No student shall be segregated and taught apart from normal students until a careful study of the student's case has been made and evidence obtained which indicates that segregation would be for the student's benefit or is necessary because of difficulties involved in teaching the student in a regular class.

KINDS OF EXCEPTIONAL STUDENT EDUCATION PROGRAMS

(Statute) 230.23(4)(m)—Exceptional Students—Provide for an appropriate program of special instruction, facilities, and services for exceptional students as prescribed by the state board as acceptable, including provisions that:

2—The School Board provides the special instruction, classes and services either within the district school systems, or through contractual arrangements with approved nonpublic schools or community facilities which meet standards established by the state board.

(Rule) 6A-6.311—Eligible special programs for exceptional students. Special programs for exceptional students encompass instruction and special education services which provide

PUBLIC LAW 94-142 STATUTES/REGULATIONS	FLORIDA STATUTES/STATE BOARD OF EDUCATION RULES
(1) Include the alternative placements listed in the definition of special education under 121a.13 of Subpart A (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions) and (2) Make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.	significant adaptations in one or more of the following: curriculum, methodology, materials, equipment, or environment designed to meet the individual learning needs of exceptional students. (1) Special programs may be structured in one or more of the following patterns so that an exceptional student may receive instruction in a: (a) basic class with supplementary consultation or special education services; (b) basic class supplemented by itinerant instruction or a resource room program; (c) special class either full-time or part-time in a regular school; (d) special day school; (e) non-public residential or day school through a contractual arrangement or other written agreement; (f) special class in a hospital or treatment center; (g) individual instruction in a hospital or home setting.
INDIVIDUALIZED EDUCATION PROGRAM (I.E.P.)	INDIVIDUAL EDUCATIONAL PLAN (I.E.P.)
(Statute) 602(19)—The term "individualized education program" means a written statement for each handicapped child developed in any meeting by a representative of the local educational agency or an intermediate educational unit who shall be qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of handicapped children, the teacher, the parents or guardian of such a child, and whenever appropriate, such child, which statement shall include (A) a statement of the present levels of educational performance of such child, (B) a statement of	(Rule) 6A-6.331(3)—Each district shall develop an individual educational plan for each exceptional student. (a) An individual educational plan consists of written statements including: (1) A statement of the student's present levels of educational performance; (2) A statement of annual goals, including short term instructional objectives;

annual goals, including short-term instructional objectives, (C) a statement of the specific educational services to be provided to such child, and the extent to which such child will be able to participate in regular educational programs, (D) the projected date for initiation and anticipated duration of such services, and appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether instructional objectives are being achieved.

(Reg) 121a.343(d)—Review. Each public agency shall initiate and conduct meetings to periodically review each child's individualized education program and if appropriate revise its provisions. A meeting must be held for this purpose at least once a year.

(Reg) 121a.344(a)—General. The public agency shall insure that each meeting includes the following participants:

(1) A representative of the public agency, other than the child's teacher, who is qualified to provide, or supervise the provision of special education.

(2) The child's teacher.

(3) One or both of the child's parents, subject to 121a.345.

(4) The child, where appropriate.

(5) Other individuals at the discretion of the parent or agency.

(Reg) 121a.345—(a) Each public agency shall take steps to insure that one or both of the parents of the handicapped child are present at each meeting or are afforded the opportunity to participate, including:

(3) A statement of the specific special education and related services to be provided to the student and the extent to which the student will be able to participate in regular educational programs;

(4) The projected dates for initiation of services and the anticipated duration of the services,

and

(5) Appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether the short term instructional objectives are being achieved.

(b) An individual educational plan which has been reviewed and revised, if appropriate, within the past year, must be in effect at the beginning of each school year for each exceptional student continuing in a special program. For new exceptional students assigned to a special program an individual educational plan must be developed in conjunction with the assignment to a special program.

(c) Meetings shall be held to develop, review and revise an exceptional student's individual educational plan.

(1) A meeting shall be held at least once a year to review each exceptional student's individual educational plan and, as appropriate, revise its provisions.

(2) Meetings shall include the following participants:

(a) A representative of the district school system, other than the student's teacher, who is qualified to provide or supervise the provision of special education.

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(1) Notifying parents of the meeting early enough to insure that they will have an opportunity to attend; and

(2) Scheduling the meeting at a mutually agreed on time and place.

(b) The notice under paragraph (a)(1) of this section must indicate the purpose, time, and location of the meeting, and who will be in attendance.

(c) If neither parent can attend, the public agency shall use other methods to insure parent participation, including individual conference telephone calls.

PARENT PARTICIPATION, NOTICE, AND CONSENT

(Reg) 121a.504—(a) Notice. Written notice which meets the requirements under 121a.505 must be given to the parents of a handicapped child a reasonable time before the public agency: (1) Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child, or (2) Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child.

(b) Consent. (1) Parental consent must be obtained before: (i) Conducting a preplacement evaluation; and (ii) Initial placement of a handicapped child in a program providing special education and related services. (2) Except for preplacement evaluation and initial placement, consent may not be required as a condition of any benefit to the parent or child.

(c) Procedures where parent refuses consent. (1) Where State law requires parental consent before a handicapped child is evaluated or initially provided special education and related services, State procedures govern the public agency in overriding a parent's refusal to consent.

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(b) The student's teacher.

(c) One or both of the student's parents as provided in Rule 6A-6.331(7), FAC.

(d) The student, when appropriate.

(e) Other individuals at the discretion of the parent or district school system.

(f) In addition, for an exceptional student who has been evaluated for the first time, a member of the evaluation team, or some other person who is knowledgeable about the evaluation procedures used with the student and is familiar with the results of the evaluation.

PARENT PARTICIPATION, NOTICE, AND CONSENT

(Rule) 6A-6.331(7)(a)—Procedures for parental involvement. Each district school board shall make provision for:

1. Prior written notice regarding child identification and evaluation activities including a statement informing parents of all procedural safeguards available.
2. Obtaining informed parental consent prior to formal, individual evaluation to determine eligibility for special programs for exceptional students.
3. Obtaining informed parental consent prior to placement into a special program for exceptional students, and
4. Parental participation in the development of the individual educational plan for the student.

a. Each district shall take steps to ensure that one (1) or both of the parents of an exceptional student are present at each meeting or are afforded the opportunity to participate.

(c) Procedures when parent refuses to grant consent. Appropriate school district personnel shall document attempts to secure consent from the parent prior to formal evaluation or placement, and if consent is not obtained, school district personnel may at their discretion request a review as provided in Rule 6A-6.331(6), FAC.

PUBLIC LAW 94-142 STATUTES/REGULATIONS

DUE PROCESS HEARING

(Statute) 615(b)(2)—Whenever a complaint has been received under paragraph (1) of this subsection, the parents or guardian shall have an opportunity for an impartial due process hearing which shall be conducted by the State educational agency or by the local educational agency or intermediate educational unit, as determined by State law or by the State educational agency. No hearing conducted pursuant to the requirements of this paragraph shall be conducted by an employee of such agency or unit involved in the education or care of the child.

(Statute) 615(d)—Any party to any hearing conducted pursuant to subsections (b) and (c) shall be accorded (1) the right to be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of handicapped children, (2) the right to present evidence and confront, cross-examine, and compel the attendance of witnesses, (3) the right to a written or electronic verbatim record of such hearing, and (4) the right to written findings of fact and decisions . . . (c)(1) A decision made in hearing conducted pursuant to paragraph (2) of subsection (b) shall be final, except that any party involved in such hearing may appeal such decision under the provisions of subsection (c) and paragraph (2) of this subsection. A decision made under subsection (c) shall have the right to bring a civil action with respect to the complaint presented pursuant to this section, which action may be brought in any State court of competent jurisdiction or in a district court of the United States without regard to the amount in controversy.

FLORIDA STATUTES/STATE BOARD OF EDUCATION RULES

DUE PROCESS HEARING

(Rule) 6A-6.331(6)(a)—Such hearings may be initiated by a parent or a school district on the proposal to initiate or change the identification, evaluation or educational placement of the child or the provision of a free appropriate public education to the child or the refusal to initiate or change the identification, evaluation or educational placement of the child or the provision of a free appropriate public education to the child.

(Rule) 6A-6.331(6)(c)4—Rights of any party to a hearing. Any party to a hearing has the right to:

a. Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of handicapped children.

b. Present evidence and confront, cross-examine, and compel the attendance of witnesses.

c. Prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least five (5) days before the hearing.

d. Obtain written or electronic verbatim records of the hearing.

e. Obtain written findings of fact and decisions.

f. Parents involved in hearings must be given the right to have the child who is the subject of the hearing present and open the hearing to the public.

(Rule) 6A-6.332(1)—Any party aggrieved by the findings and decision in a hearing conducted under Rule 6A-6.331(6), FAC, may appeal in writing, within ten (10) days, to the Commissioner.

PUBLIC LAW 94-142 STATUTES/REGULATIONS

INDEPENDENT EVALUATION

(Reg) 121a.503(a)(1)—General. (1) The parents of a handicapped child have the right under this part to obtain an independent educational evaluation of the child subject to paragraphs (b) through (e) of this section.

(Reg) 121a.503(a)(3)(i)—"Independent educational evaluation" means an evaluation conducted by a qualified examiner who is not employed by the public agency responsible for the education of the child in question.

(Reg) 121a.503(b)—A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the public agency. However, the public agency may initiate a hearing under 121a.503 of this subpart to show that its evaluation is appropriate. If the final decision is that the evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense.

SCHOOL RECORDS

(Statute) 617(c)—The Secretary shall take appropriate action, in accordance with the provisions of section 438 of the General Education Provisions Act, to assure the protection of the confidentiality of any personally identifiable data, information, and records collected or maintained by the Commissioner and by the State and local educational agencies pursuant to the provisions of this part.

FLORIDA STATUTES/STATE BOARD OF EDUCATION RULES

INDEPENDENT EVALUATION

(Rule) 6A-6.331(1)(d)—The school district shall provide the parent of an exceptional student the right to an independent educational evaluation and shall consider the results of such evaluation in any decision regarding the student. The independent educational evaluation shall be conducted by a qualified examiner as prescribed in Rule 6A-6.331(1)(a) FAC, who is not an employee of the district school board. A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the school district, provided, however, the school district may initiate a due process hearing to show that its evaluation is appropriate and if the final decision is that the district evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense.

SCHOOL RECORDS

(Statute) 228.093(1)—PURPOSE—The purpose of this section is to protect the rights of pupils and students and their parents or guardians with respect to pupil and student records and reports as created, maintained, and used by public educational institutions in the state. The intent of the Legislature is that pupils and students and their parents or guardians shall have rights of access, rights of challenge, and rights of privacy with respect to such records and reports, and that rules shall be available for the exercise of these rights.

PUBLIC LAW 94-142 STATUTES/REGULATIONS

(Reg) 121a.562(b)—The right to inspect and review educational records under this section includes:

(1) The right to a response from the participating agency to reasonable requests for explanations and interpretations of the records;

(2) The right to request that the agency provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records, and

(3) The right to have a representative of the parent inspect and review the records.

(Reg) 121a.571(a)—Parental consent must be obtained before personally identifiable information is:

(1) Disclosed to anyone other than officials of participating agencies collecting or using the information under this part, subject to paragraph (b) of this section;

(Reg) 121a.573(a)—The public agency shall inform parents when personally identifiable information collected, maintained, or used under this part is no longer needed to provide educational services to the child.

(b) The information must be destroyed at the request of the parents. . . .

(Reg) 121a.567(a)—A parent who believes that information in education records collected, maintained, or used under this part is inaccurate or misleading or violates the privacy or other rights of the child, may request the participating agency which maintains the information to amend the information.

FLORIDA STATUTES/STATE BOARD OF EDUCATION RULES

(Statute) 228.093(a)2—Such parent, guardian, pupil, or student shall have the right, upon request, to be shown any record or report relating to such pupil or student maintained by any public educational institution. Upon a reasonable request therefore, the institution shall furnish such parent, guardian, pupil or student with an explanation or interpretation of any such records or reports.

3. Copies of any list, record, or report requested under the provisions of this paragraph shall be furnished to the parent, guardian, pupil, or student upon request.

(Statute) 228.093(d)—Right of privacy—Every pupil or student shall have a right of privacy with respect to the education records kept on him. No state or local educational agency, board, public school, area vocational-technical center, community college, or institution of higher education in the State University System shall permit the release of personally identifiable records or reports of a pupil or student, or of any personal information contained therein, without the written consent of the pupil's or student's parent or guardian, or of the pupil or student himself if he is qualified as provided in this subsection.

(Statute) 228.093(c)—Right to challenge and hearing—Such parent, guardian, pupil, or student shall have the right to challenge the content of any record or report to which such person is granted access under paragraph (a), in order to insure that the record or report is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the pupil or student and to provide an opportunity for the correction, deletion or expunction of any inaccurate, misleading, or otherwise inappropriate data or material contained therein.

WHERE TO GO FOR HELP (DIRECTORY)

There are many organizations, agencies, groups, or offices which offer information or services to parents of exceptional children. On the next pages you will find just a few of them. Any of the groups listed will be happy to answer questions or give you information.

LOCAL—Spaces are left for you to write in addresses and telephone numbers of local agencies.

Director, Exceptional Student Education (ESE) .... ____________________
(Local School Board or District Office) (Telephone Number)
(Name) ____
(Address)____

Florida Diagnostic and Learning Resource System (FDLRS) .... ____________________
(Contact Exceptional Student Education Director for address and telephone number) (Telephone Number)
(Address)____

Department of Health and Rehabilitative Services (HRS) .... ____________________
(Check local telephone directory for address and telephone number) (Telephone Number)
(Address)____

Program Chairperson, Special Education or .... ____________________
Exceptional Student Education Department (Telephone Number)
(Local College or University)
(Name) ____
(Address)____

WHERE TO GO FOR HELP (DIRECTORY)

STATE—Some of these organizations may have local chapters, or be part of a national organization. Check your telephone directory or contact the organization directly.

Bureau of Education for Exceptional Students .... (904) 488-1570
Florida Department of Education
Division of Public Schools
Tallahassee, Florida 32301

Center for Children and Youth .... (904) 222-7140
305 W. Blount Street
Tallahassee, Florida 32301

Developmental Disabilities Planning Council of Florida .... (904) 488-4275
1311 Winewood Boulevard, Building 5
Tallahassee, Florida 32301

Easter Seal Society for Crippled Children
and Adults of Florida .... (904) 383-6186
Camp Challenge
Route 1, Box 350
Sorrento, Florida 32776

Florida Association for Children with Learning Disabilities ...... (305) 841-2383
Carolyn Tavel, President
1229 Bryn Mawr Street
Orlando, Florida 32801

WHERE TO GO FOR HELP (DIRECTORY)

Florida Association for the Gifted .... **(904) 633-6350**
Dr. Etoyal Yelverton, President
1701 Prudential Avenue, 4th Floor
Jacksonville, Florida 32207

Florida Association for Retarded Citizens .... **(904) 878-6121**
301 Office Plaza Drive
Tallahassee, Florida 32301

Florida Language, Speech and Hearing Association .... **(904) 222-7924**
c/o McCollum Management and Meetings
P. O. Box 703
Tallahassee, Florida 32302

Florida Network for Family and Parent Education .... **(305) 299-5000**
Dr. Glen Rediehs, President
Valencia Community College
P. O. Box 3028
Orlando, Florida 32802

Florida State Mental Health Association .... **(305) 841-3864**
132 E. Colonial Drive—Suite 207
Orlando, Florida 32802

Governor's Commission on Advocacy for
Persons with Developmental Disabilities .... **(904) 488-9071**
Office of the Governor—The Capitol **Toll Free: (800) 342-0823**
Tallahassee, Florida 32301 **(TDD or Voice)**

WHERE TO GO FOR HELP (DIRECTORY)

Human Rights Advocacy Committee .... **(904) 487-2055**
1317 Winewood Boulevard, Building 2
Tallahassee, Florida 32301

Society for Autistic Citizens .... **(813) 521-1561**
1484 - 52nd Avenue, N.E.
St. Petersburg, Florida 33703

United Cerebral Palsy of Florida .... **(904) 878-2141**
P. O. Box 6476
2720 Blairstone Rd.
Tallahassee, Florida 32301

NATIONAL

American Speech-Language-Hearing Association .... **(301) 897-5700**
10801 Rockville Pike **Toll Free (800) 638-6868**
Rockville, Maryland 28052

Children's Defense Fund .... **(202) 483-1470**
1520 New Hampshire Avenue, N.W.
Washington, D.C. 20036

WHERE TO GO FOR HELP (DIRECTORY)

Council for Exceptional Children .... **(703) 620-3660**
1920 Association Drive **Toll Free (800) 336-3728**
Reston, Virginia 22091

National Alliance for the Mentally Ill .... **(202) 783-6393**
1234 Massachusetts Ave., N.W.
Washington, D.C. 20005

National Association for Parents of the Visually Impaired .... **(512) 459-6651**
2011 Hardy Circle
Austin, Texas 78757

National Association for the Deaf/Blind .... **(405) 842-8333**
2703 Forest Oak Circle
Norman, Oklahoma 73071

National Association of Hearing and Speech Action .... **(301) 897-8682**
6110 Executive Boulevard, Suite 1000
Rockville, Maryland 20852

WHERE TO GO FOR HELP (DIRECTORY)

National Center for Law and the Handicapped .... **(219) 283-4536**
1236 N. Eddy Street
South Bend, Indiana 46617

National Commmittee for
Citizens in Education .... **(301) 997-9300**
410 Wilde Lake Village Green
Columbia, Maryland 21044

Office of Special Education and Rehabilitation .... **(202) 655-4000**
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Parent's Campaign for
Handicapped Children and Youth .... **(202) 833-4160**
Box 1492
Washington, D.C. 22013

GROUPS WHICH YOU HAVE FOUND TO BE HELPFUL

Name and Address	Telephone Number

For Parents of Exceptional Students . . . An Information Series:

Parents' Educational Records

Booklet 5

EC 130 333

For Parents of Exceptional Students . . . An Information Series:

Parents' Educational Records

Booklet 5

State of Florida
Department of Education
Ralph D. Turlington, Commissioner
Tallahassee, Florida
Division of Public Schools
Bureau of Education for Exceptional Students
1982

This series was developed by the Florida Department of Education in cooperation with the South Atlantic Regional Resource Center. Among those who have made significant contributions are:

Parents of
Exceptional Students

The Task Force for Parent
Information/Education

Staff Members of the
Bureau of Education
for Exceptional Students

Staff Members from Florida's
Local School Districts

The Florida Diagnostic and
Learning Resources System

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INTRODUCTION

**". . . This booklet is meant to be used.
It is a place in which you can write important
information about your child and his education . . ."**

The material in this booklet has been prepared to help parents of exceptional children in Florida's school districts to keep their own educational records. The word "parents" includes anyone who has major responsibility for the care and well-being of a child. If you are a person who has such responsibility—parent, grandparent, surrogate parent, foster parent—and you think that your child has special learning needs, you may want to use this booklet.

It is very important that you, as a parent of an exceptional child, keep some records of things that you do, and things that the school does, to make sure that your child gets the kind of education he needs. This booklet is meant to be used. It is a place in which you can write important information about your child and his education.

You will probably need to use this booklet along with the other booklets in the information series. The **"Parents' Record"** pages you will find here are copies of pages from Booklets 1, 2, and 3 in the series. The **"Sample Letters"** may help you to take actions described in Booklet 3.

Booklet 1, EDUCATING FLORIDA'S EXCEPTIONAL STUDENTS, will answer questions such as:

- Will the school work with my child?
- Where can I find a good program for him?
- Is my child too young or too old for a special program?
- Is this going to cost me a lot of money?
- What can I do to help?

Booklet 2, THE INDIVIDUAL EDUCATIONAL PROGRAM—IEP, will answer questions such as:

- What is an IEP?
- How will an IEP help my child?
- When and how is an IEP written?
- What are the parts of an IEP?
- Who writes the IEP?
- How can I help to write the IEP?

Booklet 3, RIGHTS AND RESPONSIBILITIES, will answer questions such as:

- What is Due Process?
- What are my Due Process rights?
- How can I best use my rights to Due Process?
- What are my rights to participate, have notice, give consent, and have a Due Process Hearing?
- How can I work with the school to solve problems?

Booklet 4, RESOURCES AND REFERENCES, contains this useful information:

- **"The Parents' Dictionary"**—meanings for some of the words used by schools to describe your child and his education, and **all** the color-underlined words in this series of booklets.
- **"Reading Materials for Parents"**—a list of other written materials that may be of help to you.
- **"Excerpts from Laws and Rules"**—a copy of some of the more important parts of the laws and rules about Exceptional Student Education.
- **"Where To Go for Help"**—a list of some groups or agencies which may be of help in answering questions or giving you more information.

We hope that the information in this series of booklets will help you to help your child. As you read and use the booklets, you may find parts that are not clear. There are many people who can help. The people at your child's school or in your local School Board Office will be happy to work with you.

PARENTS' RECORD—REFERRAL*

Who made the referral (if you know)? ____________________

When was the referral made? ________________ Age of child: ________

Why was the referral made? ____________________

____

Meeting (conference) about the referral:

Who met with you?

Name ________________ Title ________________

Name ________________ Title ________________

Date meeting was held: ____________ Place meeting was held: ____________

Results of meeting: ____________________

____

Was there another meeting (conference) about the referral? ☐ Yes ☐ No

Who met with you?

Name ________________ Title ________________

Name ________________ Title ________________

Date meeting was held: ____________ Place meeting was held: ____________

Results of meeting: ____________________

____

Sometimes a record is made of meetings (conferences) about the referral. If so, ask for a copy and keep it in your file.

*See Booklet 1, page 15.

Keep a copy of all record(s) in your file.

PARENTS' RECORD—EVALUATION*

Date of evaluation: ____________________ Age of child: ________

What kinds of evaluation (testing) were done? ____________________

____

____

____

Who did the evaluation? ____________________

Name ____________________ Title ____________________

Name ____________________ Title ____________________

Name ____________________ Title ____________________

Name ____________________ Title ____________________

Where was the evaluation done? ____________________

____

Did you read the report(s) ☐ Yes ☐ No

If yes, when? ____________________ Where? ____________________

Did someone explain the report(s) to you? ☐ Yes ☐ No

If yes, who? ____________________ When? ____________________

Do you have a copy of the report(s) ☐ Yes ☐ No

Keep copies of all evaluation reports in your file.

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*See Booklet 1, page 18.

PARENTS' RECORD—BEFORE STAFFING*

What problems does your child have at school? ____________________

What problems does he have at home? ____________________

What does he like best? ____________________

What does he not like? ____________________

What is he good at? ____________________

What kind(s) of help do you think he needs? ____________________

What questions do you have for the people at the school? ____________________

---

*See Booklet 1, page 22.

PARENTS' RECORD—AFTER STAFFING*

Date: ______________________ Time—From: __________ To: __________

Place: ____

People at the meeting (list all you know):

Name ______________________	Title ______________________
Name ______________________	Title ______________________
Name ______________________	Title ______________________
Name ______________________	Title ______________________
Name ______________________	Title ______________________
Name ______________________	Title ______________________

Results of meeting:

Child is exceptional? ☐ Yes ☐ No

Child is eligible for what kind(s) of program(s)? ______________________

____

Program, class, or school suggested: ______________________

____

What will happen next? ______________________

____

When? ____

Keep a copy of the letter you get in your file.

*See Booklet 1, page 23.

PARENTS' RECORD—BEFORE IEP MEETINGS*

Observation Guide

Name of child: ______________________________ Age: __________

What things does your child do best?

- At home: ______________________________
- At school: ______________________________

What problems does your child seem to have?

- At home: ______________________________

  ____
- At school: ______________________________

  ____

How does your child seem to feel about:

- School (if he goes to school)? ______________________________

  ____
- Himself? ______________________________

  ____
- Other children (friends, brothers, and sisters)? ______________________________

  ____
- Adults (parents, teachers, and relatives)? ______________________________

  ____

*See Booklet 2, page 23.

(first of two pages)

What does your child like to do when he has free time or play time? ______

______

What does your child dislike? ______

______

How well does your child take care of himself (dressing, eating, staying clean, etc.)? ______

______

What kinds of things does your child do to help you at home? ______

______

How well does your child listen to you and follow directions? ______

______

Does your child have many friends? ______

- How old are his friends? ______
- What does he do when playing with his friends? ______

______

How much, and how well, does your child talk:

- To you? ______
- To other children? ______
- To adults? ______

What does your child most need to learn in school?

______

______

______

______

(second of two pages)

*See Booklet 2, page 24.

PARENTS' RECORD—IEP MEETING(S)*

Did you get a notice about the meeting? ☐ Yes ☐ No
If yes, date of notice: ____________ Number of days before the meeting: ____________

Did you get any other kind of notice? ☐ Phone call ☐ Visit ☐ Reminder note
☐ Other: ________________________________

Did you ask to change the date, time, or place? ☐ Yes ☐ No
If yes, were you able to make a change? ☐ Yes ☐ No

Did you go to the meeting? ☐ Yes ☐ No
If no, why not? ________________________________

If no, did the school ask you to help with the IEP in some other way? ____________
____

Who was present at the meeting?

Name ________________ Title ________________
Name ________________ Title ________________
Name ________________ Title ________________

Did your child attend the meeting? ☐ Yes ☐ No
Why or why not? ________________________________

Was there a need for more than one meeting? ☐ Yes ☐ No
If yes, give date(s): ________________________________

Were you and the school able to agree on the IEP? ☐ Yes ☐ No
If no, what did you do? ________________________________
____

Did you get a copy of the IEP? ☐ Yes ☐ No

*See Booklet 2, page 26.

Keep a copy of the IEP in your file.

PARENTS' RECORD—SPECIAL PROGRAM*

Name of program or class:

Date child started: Age of child:

Name of school:

Address: Telephone number:

Teacher(s)	Principal
Name	
Name	Name
Name	

Your visits to the school or classroom:

1. Date: Purpose:

   What did you learn?

2. Date: Purpose:

   What did you learn?

3. Date: Purpose:

   What did you learn?

Always discuss your visit with the teacher(s).

*See Booklet 1, page 27.

PARENTS' RECORD—IEP REVIEW*

Date(s) of Review Meeting(s): ________________

Did you get a notice about the meeting? ☐ Yes ☐ No

If yes, date of notice: ________________

Did you ask to change the date, time, or place? ☐ Yes ☐ No

If yes, were you able to make a change? ☐ Yes ☐ No

Did you go to the meeting? ☐ Yes ☐ No

If no, why not? ________________

Who was present at the meeting?

Name ________________	Title ________________
Name ________________	Title ________________
Name ________________	Title ________________
Name ________________	Title ________________

What changes were made in the IEP? ________________

____

____

Did you agree with these changes? ☐ Yes ☐ No

If not, what did you do? ________________

____

Did you get a copy of the IEP? ☐ Yes ☐ No

---

*See Booklet 2, page 33.

Keep a copy of the IEP in your file.

PARENTS' RECORD—IEP REVIEW

Date(s) of Review Meeting(s): ____________________

Did you get a notice about the meeting? ☐ Yes ☐ No
If yes, date of notice: ____________________

Did you ask to change the date, time, or place? ☐ Yes ☐ No
If yes, were you able to make a change? ☐ Yes ☐ No

Did you go to the meeting? ☐ Yes ☐ No
If no, why not? ____________________

Who was present at the meeting?

Name ____________	Title ____________
Name ____________	Title ____________
Name ____________	Title ____________
Name ____________	Title ____________

What changes were made in the IEP? ____________________

____

____

Did you agree with these changes? ☐ Yes ☐ No
If not, what did you do? ____________________

____

Did you get a copy of the IEP? ☐ Yes ☐ No

Keep a copy of the IEP in your file.

*See Booklet 2, page 33.

PARENTS' RECORD—IEP REVIEW

Date(s) of Review Meeting(s): ____________________

Did you get a notice about the meeting? ☐ Yes ☐ No

If yes, date of notice: ____________________

Did you ask to change the date, time, or place? ☐ Yes ☐ No

If yes, were you able to make a change? ☐ Yes ☐ No

Did you go to the meeting? ☐ Yes ☐ No

If no, why not? ____________________

Who was present at the meeting?

Name ____________________ Title ____________________
Name ____________________ Title ____________________
Name ____________________ Title ____________________
Name ____________________ Title ____________________

What changes were made in the IEP? ____________________

____

____

Did you agree with these changes? ☐ Yes ☐ No

If not, what did you do? ____________________

____

Did you get a copy of the IEP? ☐ Yes ☐ No

*See Booklet 2, page 33.

Keep a copy of the IEP in your file.

PARENTS' RECORD—RE-EVALUATION*

Date of re-evaluation: ______________________ Age of child: __________

Reason for re-evaluation: ______________________

____

What kinds of evaluation (testing) were done? ______________________

____

____

Who did the re-evaluation?

Name ______________ Title ______________

Name ______________ Title ______________

Name ______________ Title ______________

Name ______________ Title ______________

Where was the re-evaluation done? ______________ ______________

Did you read the report(s)? ☐ Yes ☐ No

If yes, when? ______________ Where? ______________

Did someone explain the report(s) to you? ☐ Yes ☐ No

If yes, who? ______________ When? ______________

Do you have a copy of the report(s)? ☐ Yes ☐ No

Keep copies of any re-evaluation reports in your file.

*See Booklet 1, page 31.

PARENTS' RECORD—STAFFING (AS NEEDED)*

Date: ______________________________ Age of Child: __________

People at the meeting (list all you know):

Name ____________________ Title ____________________
Name ____________________ Title ____________________
Name ____________________ Title ____________________
Name ____________________ Title ____________________

Results of meeting:

Decisions: ______________________________

Reasons for decisions: ______________________________

What will happen next? ______________________________

When? ______________________________

This form is meant to be used only when there is a need for another Staffing. Some children will need another Staffing. Other children will not.

Keep a copy of the letter you get in your file.

---

*See Booklet 1, page 33.

PARENTS' RECORD—STAFFING (AS NEEDED)

Date: ______________________ Age of Child: __________

People at the meeting (list all you know):

Name ______________ Title ______________
Name ______________ Title ______________
Name ______________ Title ______________
Name ______________ Title ______________

Results of meeting:

Decisions: ______________________

Reasons for decisions: ______________________

What will happen next? ______________________

When? ______________________

This form is meant to be used only when there is a need for another Staffing. Some children will need another Staffing. Other children will not.

Keep a copy of the letter you get in your file.

*See Booklet 1, page 33

PARENTS' RECORD—INDEPENDENT EVALUATION*

Reasons for getting an Independent Evaluation: ____________________

____

____

____

Date of letter asking for Independent Evaluation: ____________________

Did you keep a copy in your file? ☐ Yes ☐ No

Date of school's answer: ____________________

Decision: ____________________

Reason: ____________________

Did you keep a copy in your file? ☐ Yes ☐ No

Was a Due Process Hearing needed? ☐ Yes ☐ No

If yes:

Name of Hearing Officer: ____________________

Date of Hearing: ____________________

Place: ____________________

Decision: ____________________

____

____

Keep copies of all evaluation reports in your file.

*See Booklet 3, page 27

(first of two pages)

PARENTS' RECORD—SCHOOL RECORDS*

Kinds of records kept by the school:

Kind	Place Kept

Did you read the records? ☐ Yes ☐ No If yes, please supply this information:

Date	Kind	Place Kept

Did someone explain the records to you? ☐ Yes ☐ No If yes, please supply this information:

Name	Title	Date

---

*See Booklet 3, page 33

Records have been sent outside the school: ☐ Yes ☐ No If yes, please supply this information:

Records Sent to (Name)	Date	Your Consent Given?
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No

Have you asked the school to make changes in your child's records? ☐ Yes ☐ No

If yes, please supply this information:

Request	Date	School's Answer

Did you ask for copies of records? ☐ Yes ☐ No If yes, please supply this information:

Kind	Date	Was There a Charge?
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No

*See Booklet 3, page 34.

PARENTS' RECORD—DUE PROCESS HEARING*

☐ Parent asked for the Due Process Hearing ☐ School asked for the Due Process Hearing

Reason for Hearing: ______________________________

____

____

Date of letter asking for Hearing: ____________ Did you keep a copy in your file? ☐ Yes ☐ No

Things that were done to try to solve the problem before Hearing: ______________________________

____

____

____

Name of Hearing Officer: ______________________________

Date of Hearing: ______________________________

Place: ______________________________

Name of lawyer or person helping you: ______________________________

Parent's Witnesses	School's Witnesses

Keep a copy of the Hearing Officer's written decision in your file.

*See Booklet 3, page 39.

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(first of two pages)

NOTES

Use these pages to keep records of telephone calls, conferences, informal meetings, and visits.

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NOTES

Use these pages to keep records of telephone calls, conferences, informal meetings, and visits.

Was the Independent Evaluation done? ☐ Yes ☐ No

If no, why not? ______________________________

If yes, date: ______________________________

Person(s) who did the Independent Evaluation:

Name ____________________ Title ____________________
Name ____________________ Title ____________________
Name ____________________ Title ____________________
Name ____________________ Title ____________________
Name ____________________ Title ____________________

Who paid for the Independent Evaluation? ______________________________

Keep copies of all evaluation reports in your file.

*See Booklet 3, page 28.

Parent's Evidence	School's Evidence

Hearing Officer's decision:

Did you appeal the decision? ☐ Yes ☐ No Did the school appeal the decision? ☐ Yes ☐ No

Date:

To whom:

Keep a copy of the Hearing Officer's written decision in your file.

*See Booklet 3, page 40.

NOTES

Use these pages to keep records of telephone calls, conferences, informal meetings, and visits.

SAMPLE LETTER
ASKING FOR AN EVALUATION*

(Your Address)
(Your Phone Number)
(Today's Date)

Mr./Mrs. ____________________
Principal
(School Name)
(School Address)

Dear ____________________ :

I am the parent of ______________(child's name)______________, age __________, who is a student in grade __________ at ______________________________ School. I have reason to believe that my child has special needs that cannot be met by a regular school program. Please arrange to have my child evaluated as quickly as possible, so that an appropriate program can be provided.

Please let me know when this evaluation will take place.

Thank you.

Sincerely,

(Your Name)

cc: Director, Exceptional Student Education

This Letter May Be Handwritten

*Adapted from
Education for All: A Training Module for Parents and Advocates of Handicapped Children
South Carolina Protection and Advocacy Training and Technical Assistance Project

SAMPLE LETTER
ASKING FOR AN IEP REVIEW*

(Your Address)
(Your Phone Number)
(Today's Date)

Mr./Mrs. ______________________
Director, Exceptional Student Education
(Name of School Board)
(Address of School Board Office)

Dear ______________________:

I am the parent of ______________ (child's name) ______________, age __________,
who is a student at ____ School.

I think that there should be a change in my child's Individual Educational Program. I am asking for a meeting to talk about this and to write a new IEP for ______________ (child's name) ______________.

Please let me know when the meeting will be held.

Thank you.

Sincerely,

(Your Name)

cc: Principal of the School

This Letter May Be Handwritten

*Adapted from
Education for All: A Training Module for Parents and Advocates of Handicapped Children
South Carolina Protection and Advocacy Training and Technical Assistance Project

SAMPLE LETTER
ASKING THE SCHOOL TO CHANGE A DECISION

(Your Address)
(Your Phone Number)
(Today's Date)

Mr./Mrs. ____________________
Director, Exceptional Student Education
(Name of School Board)
(Address of School Board Office)

Dear ____________________:

I am the parent of ______(child's name)______, age ________,
who is a student at ______________________________ School.

I got a notice from the school on ______(date)______ about
____
____.

I do not agree with this notice. I have talked with the people at the school. I am asking for a meeting to talk about this problem and to change the decisions that have been made.

Thank you.

Sincerely,

(Your Name)

cc: Principal of the School

This Letter May Be Handwritten

SAMPLE LETTER
ASKING FOR AN INDEPENDENT EVALUATION

(Your Address)
(Your Phone Number)
(Today's Date)

Mr./Mrs. ____________________
Director, Exceptional Student Education
(Name of School Board)
(Address of School Board Office)

Dear ______________________ :

I am the parent of ______________ (child's name) ______________ , age ________ ,
who is a student at ____ School.

I think that my child needs an Independent Evaluation because ______________________
____
____ .

I am asking that you help me find someone to do this evaluation and that the school system pay for it.

Please notify me of your answer to this request.

Thank you.

Sincerely,

(Your Name)

cc: Principal of the School

This Letter May Be Handwritten

SAMPLE LETTER
REVOKING CONSENT

(Your Address)
(Your Phone Number)
(Today's Date)

Mr./Mrs. ______________________
Director, Exceptional Student Education
(Name of School Board)
(Address of School Board Office)

Dear ______________________:

I am the parent of ______________(child's name)______________, age ________, who is a student at ______________________________________ School.

On ____________(date)____________ I signed a form giving my consent for
____
____.

I no longer think that this is best for my child. I wish to revoke my consent.

Please let me know what action you are taking to respond to my request.

Thank you.

Sincerely,

(Your Name)

cc: Principal of the School

This Letter May Be Handwritten

SAMPLE LETTER
ASKING SCHOOL TO CHANGE OR DESTROY RECORDS

(Your Address)
(Your Phone Number)
(Today's Date)

Mr./Mrs. ______________________
Principal
(School Name)
(School Address)

Dear ________________________:

I am the parent of ____________________ (child's name) ____________________, age ____________,
who is/was a student in grade ____________ at ______________________________________
School. I have read the school records about my child. These records were explained to me by
________________ (name of person) ________________ on ________________ (date) ________________.

I have reason to believe that part of the school records are not fair to my child. Therefore I am asking that you ____
____
____.

Please let me know what action you will take in answer to this request.

Thank you.

Sincerely,

(Your Name)

cc: Director, Exceptional Student Education

This Letter May Be Handwritten

SAMPLE LETTER
ASKING FOR A DUE PROCESS HEARING*

(Your Address)
(Your Phone Number)
(Today's Date)

Mr./Mrs. ____________________
Superintendent of Schools
(Name of School Board)
(Address of School Board Office)

Dear ____________________:

I am the parent of ____________(child's name)____________, age __________.
My child is a student at ______________________________________ School.

I have talked with the school staff and we do not agree about ____________________
____.

I am asking for a Hearing before an impartial Hearing Officer so that I can present my point of view. Please let me know as soon as possible when the Hearing will be held.

I would also like to schedule an appointment to examine and copy my child's school records before the Hearing.

Thank you.

Sincerely,

(Your Name)

cc: Director, Exceptional Student Education

This Letter May Be Handwritten

*Adapted from
Education for All: A Training Module for Parents and Advocates of Handicapped Children
South Carolina Protection and Advocacy Training and Technical Assistance Project